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ACTS
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF GEORGIA.

PASSED IN
MILLEDGEVILLE,
AT AN
ANNUAL SESSION

IN
NOVEMBER AND DECEMBER, 1863;

ALSO,
EXTRA SESSION OF 1864.

PUBLISHED BY AUTHORITY.

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STATUTES OF GEORGIA

PASSED BY THE

GENERAL ASSEMBLY OF 1863.

PART I.---PUBLIC LAWS.

TITLE I.

APPROPRIATIONS.

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| <p>Sec. 1. Salaries of Governor, Secretary of State, Treasurer, Comptroller General, Secretaries of Executive Department, Messenger, Librarian, Attorney and Solicitors General, and Reporter of Supreme Court. Extra pay to Clerk of Supreme Court for stationery and advertising. Salaries of Judges of the Supreme Court and of the Superior Courts.</p> <p>" 2. Contingent Fund. Printing Fund.— Pay for cleaning and airing Rep. Hall and Senate Chamber. State House Clock.</p> <p>" 3. Pay of President of Senate and Speaker of House. <i>Per diem</i> and mileage of members of General Assembly.</p> <p>" 4. Pay of Secretary of Senate and Clerk of House of Representatives. Contingent expenses of same officers. Pay Clerks of standing committees in each branch.</p> <p>" 5. Pay of Doorkeepers and Messengers. Attending to chandaliers.</p> <p>" 6. Authorizing payment for services and labor directed by General Assembly, and no appropriations made.</p> <p>" 7. Appropriations for salaries to continue, till salaries changed by law.</p> <p>" 8. Advances to salaried officers.</p> <p>" 9. Georgia Relief and Hospital Association.</p> <p>" 10. Purchase of clothing, shoes, &c., of soldiers from Ga.</p> <p>" 11. Support of indigent widows and orphans of soldiers, and indigent soldiers themselves, and mode of providing means.</p> <p>" 12. Salt supply, &c. For purchase and manufacture of cards.</p> | <p>Sec. 13. Payment of public debt, &c.</p> <p>" 14. Salary Superintendent Ga. Military Institute.</p> <p>" 15. Military Fund.</p> <p>" 16. Pay of guard at State Magazine and Military Storekeeper.</p> <p>" 17. Pay Recording Clerk Ex. Dep't.</p> <p>" 18. Pay Page House Reps. <i>Per diem</i> and mileage to Wm. Herrington, deceased, Rep. from Terrell county.</p> <p>" 19. To reimburse Messrs. Warren and Graham for expenses in accompanying remains of Mr. Herrington.</p> <p>" 20. Advance to Public Printer.</p> <p>" 21. Henningsen Hospital, Richmond, Va.</p> <p>" 22. Gov. authorized to import military supplies, export cotton, purchase steamer, &c.</p> <p>" 23. Stationery for Ex. Dep't.</p> <p>" 24. Extra allowance to Doorkeepers House and Senate.</p> <p>" 25. To Hon. Richard Clark for services in preparing Code.</p> <p>" 26. Expenses of Committee to Academy for Blind.</p> <p>" 27. To Rev. Sam'l Higgins for Fast Day sermon. Secretary of State for fuel, lights and other contingencies.</p> <p>" 28. Support of State Lunatic Asylum.</p> <p>" 29. To Rev. Jos. J. Ridley, for services as chaplain.</p> <p>" 30. For purchase of forges, hammers and gudeons.</p> <p>" 31. To J. S. Walker and R. B. Knight, for services to Conference Committee on Militia Bill.</p> <p>" 32. Pay of Compiler of laws. To committee for preparing Great Seal.</p> |
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(No. 1.)

An Act to provide for raising a revenue for the political year 1864, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes therein mentioned.

1. SECTION I. *Be it enacted by the General Assembly of Georgia, That the following sums of money be, and the same are hereby*

Salary of Governor—Salaries of State House Officers—Solicitors General.

appropriated to the respective persons and objects hereinafter named, viz: The sum of four thousand dollars to his Excellency the Governor as his salary for the year 1864; and the further sum of three thousand dollars, each, to the Secretary of State and Treasurer, and the sum of three thousand dollars to the Comptroller General, for the year 1864; and the sum of two thousand five hundred dollars, each, to the Secretaries (not exceeding two) employed in the Executive Department, for the year 1864; and the sum of six hundred dollars to pay the Messenger of the Executive Department for the year 1864; and the sum of one thousand dollars to the State Librarian, as his salary for the year 1864; and the sum of two hundred and twenty-five dollars to each, the State's Attorney and the Solicitors General, for the year 1864; and the sum of one thousand dollars to the Reporter of the decisions of the Supreme Court, as his salary for the year 1864; and the further sum of six hundred dollars be; and the same is hereby appropriated to pay the Clerk of the Supreme Court for the Correction of Errors, for stationery and advertising notices of the meeting of said Court in the year 1864; and the sum of thirty-five hundred dollars to each Judge of the Supreme Court, as his salary for the year 1864; and the sum of twenty-five hundred dollars to each Judge of the Superior Court, as his salary for the year 1864.

2. SEC. II. *Be it further enacted*, That the sum of fifty thousand dollars be, and the same is hereby appropriated as a contingent fund for the year 1864; and the sum of thirty thousand dollars be appropriated for a printing fund for the current year, and in case of a deficiency in this appropriation, the Governor is hereby authorized to draw his warrant on the Treasury for the deficit, to be paid out of any money in the Treasury not otherwise appropriated; and the sum of seventy-five dollars to the person selected by the Governor to keep, clean, scour, air the chambers, &c., of the Senate Chamber and Representative Hall, for the year 1864; and the sum of fifty dollars, or so much thereof as may be necessary, to pay for repairing and keeping in order the State House clock, for the year 1864; and the sum of twenty-four hundred dollars to pay the State House Guard for the year 1864.

3. SEC. III. *Be it further enacted*, That the sum of ten dollars, each, per day, be paid to the President of the Senate and Speaker of the House of Representatives, during the present session of the General Assembly, and the sum of five dollars for every twenty miles of travel, going to and returning from the seat of Government, the distance to be computed by the nearest route usually traveled; and that the sum of six dollars, each, per day, be paid to the members of the General Assembly, during the present session, and five dollars for every twenty miles of travel, going to and returning from the Capitol, under the same rules which apply to the President of the Senate and Speaker of the House of Representatives; *provided*, that no member of the General Assembly shall receive pay for the time he may be absent, unless his ab-

Salary of Governor.

Secretary of State, Treasurer and Comptroller General. Secretaries of Executive Department, not exceeding two.

Messenger.

State Librarian.

Attorney and Solicitors General.

Reporter of Supreme Ct.

Clerk of the Supreme Ct. for stationery and advertising.

Judges of Supreme Court.

Judges of Superior Court.

Contingent fund.

Printing fund for current year.

Cleaning and airing Rep. Hall and Senate Chamber.

State House clock.

Pay for State House guard.

Pay of President of the Senate and Speaker of the House.

Mileage.

Per diem of members.

Mileage.

Proviso.

Secretary of Senate and Clerk of House of Representatives—Doorkeepers and Messengers.

sence was caused by the sickness of himself or family, or he had leave of absence granted by the Senate or House for satisfactory reasons.

4. SEC. IV. *Be it further enacted*, That the Secretary of the Senate be paid the sum of eighty-seven dollaas and fifty cents per day for the present session, and the Clerk of the House of Representatives be paid one hundred dollars per day for the present session, out of which sums they shall pay all their assistants and sub-clerks; *provided*, that no warrant shall issue in favor of either until his Excellency the Governor shall have satisfactory evidence that they have carefully marked and filed away all reports of standing committees and all papers of importance connected with either house; and the sum of seventy-five dollars, or so much thereof, as may be necessary, is hereby appropriated, each, to the Secretary of the Senate and Clerk of the House of Representatives, to defray the contingent expenses of their respective offices, at the present session of the General Assembly; and that the sum of ten dollars *per diem* be appropriated to pay the Clerks of the standing committees of the Senate and House of Representatives; *provided*, that the Auditing Committee of either the Senate or House shall not be authorized to audit said Clerks' accounts for any greater number of days than shall be certified to by the Chairman of the Committee to which he was clerk.

Pay of Secretary of Senate.

Clerk of the House.

Proviso.

Contingent expenses of the Secretary of Senate and Clerk of the House.

Pay of Clerks of standing committees in each branch.

Proviso.

5. SEC. V. *Be it further enacted*, That the sum of six dollars per day be paid to each of the Doorkeepers and Messengers of the Senate and House of Representatives, at the present session of the General Assembly, and the same mileage to each of said Doorkeepers and Messengers as is paid to the members of the General Assembly; and that the sum of fifty dollars, or so much thereof as may be necessary, is hereby appropriated for cleaning, lighting and keeping in order the chandeliers of the Senate Chamber and Representative Hall, during the present session of the General Assembly.

Pay of Doorkeepers and Messengers.

Mileage.

Cleaning and lighting chandeliers.

6. SEC. VI. *Be it further enacted*, That in all cases where the General Assembly directs the performance of any service or labor for which no provision is made for compensation, the Governor is hereby authorized to draw his warrant on the Treasury for such sum or sums as in his judgment may be a just compensation.

Pay provided for all cases where labor or service is directed and no compensation provided.

7. SEC. VII. *Be it further enacted*, That the various sums of the annual salaries of all the officers of this State whose salaries are fixed by law, be, and the same are hereby appropriated annually, to pay said salaries, until they are otherwise altered by law.

Appropriations for salaries continued till changed by law.

8. SEC. VIII. *Be it further enacted*, That the Treasurer be authorized to pay from time to time to the officers of the Government whose salaries are appropriated by this act, seventy-five per cent of the amount for which service has been actually rendered, at the date of such payment, taking receipts from said officers for the same, which receipts shall be his vouchers, and are hereby declar-

Advances by Treasurer to salaried officers.

Georgia Relief and Hospital Association—Clothing for Soldiers—Soldiers Families.

ed offsets to the extent of said payment, to executive warrants, drawn at the end of the quarter for said officer's salary.

Appropriation for Georgia Relief & Hospital Association.

9. SEC. IX. *Be it further enacted*, That the sum of five hundred thousand dollars be, and the same is hereby appropriated for the "Georgia Relief and Hospital Association", to be drawn and expended according to an Act, entitled "An Act to appropriate funds to the uses of the Georgia Relief and Hospital Association", assented to Dec'r 12th, 1862.

Appropriation for purchase of clothing, shoes, &c. for soldiers from Ga.

10. SEC. X. *Be it further enacted*, That the sum of two millions five hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated for the purchasing and procuring clothing, shoes, caps or hats, for all the privates and non-commissioned officers, who are now or may hereafter be in the army of the Confederate States, from this State, during the present war.

For support of indigent widows and orphans of soldiers in service, as well as for indigent families of soldiers and indigent soldiers themselves, if disabled in service.

Gov. authorized to borrow money or issue six per cent bonds under certain conditions.

11. SEC. XI. *Be it further enacted*, That the sum of six millions of dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated for the support of indigent widows and orphans of soldiers, and indigent families of soldiers, who may be in the public service, and for the support of indigent soldiers, who may be disabled by wounds or disease, in the service of this State or the Confederate States, for and during the year 1864, and if necessary, His Excellency the Governor, is hereby authorized to borrow the money or to issue State bonds bearing no greater interest than six per cent, which bonds shall be sold in the market to the highest bidder, in an amount sufficient for said purpose, and in such sums as may be needed from time to time to effect the object of said appropriation.

Procuring supply of salt.

12. SEC. XII. *Be it further enacted*, That the sum of five hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, to be used for the purpose of supplying the people of Georgia with salt, as directed by an act entitled an act to provide for the supply of the people of Georgia with salt, and to appropriate money for the accomplishment of that object, assented to Dec 6th, 1862; and that the sum of two hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated out of any funds in the Treasury not otherwise appropriated, for the purpose of purchasing cards, and procuring the necessary materials for carrying on the work of manufacturing wool and cotton cards, and card clothing for factories.

For the purchase & manufacture of cards and clothing for factories.

For payment of public debt, &c.

13. SEC. XIII. *Be it further enacted*, That the sum of one million seven thousand and ninety-five dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, to pay any portion of the public debt, which may become due within the present political year, and to pay the interest on State bonds, as may be issued by authority of any law, passed during the present session of the General Assembly, the same to be paid out of any money in the Treasury, not otherwise appropriated.

14. SEC. XIV. *Be it further enacted*, That the sum of three thou-

Supt. Ga. Military Institute—Military Fund—Guard State Magazine—Military Storekeeper.

sand dollars is hereby appropriated to pay the salary of the Superintendent of the Georgia Military Institute, at Marietta.

Salary of Sup.
Ga. Mil. In-
stitute.

15. SEC. XV. *Be it further enacted*, That the sum of three millions of dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated as a Military fund for the year 1864, to be drawn from the Treasury on warrants of the Governor, from time to time as the same may be required, to defray the expenses for Military purposes.

Military fund
for 1864.

16. SEC. XVI. *Be it further enacted*, That the sum of eight hundred dollars, or so much thereof as may be necessary, is hereby appropriated, to pay for the guard at the State Magazine, at Milledgeville, for the year 1864; and the sum of nine hundred dollars to pay the Military store keeper in the city of Milledgeville.

Pay of guard
at State Mag-
azine at Mil-
ledgeville.

Military
Storekeeper.

17. SEC. XVII. *Be it further enacted*, That the sum of twenty-five hundred dollars be, and the same is hereby appropriated, to pay the recording Clerk of the Executive Department, for the year 1864.

Pay for Re-
cording Clerk
Ex. Dept for
1864.

18. SEC. XVIII. *And be it further enacted*, That the sum of one hundred and fifty dollars be, and the same is hereby appropriated to pay Iverson L. Hunter for his services as page of this House for the present session of the General Assembly. And that the sum of three hundred and seven dollars and fifty cents be appropriated to pay the per diem and mileage of the Hon. William Herrington deceased, Representative from Terrell county, and that K. J. Warren be authorized to receive the same and pay it over to his representatives.

Page for
House of
Reps.

To Hon. Wm
Herrington,
Rep. from
Terrell Co.,
for per diem
and mileage.

19. SEC. XIX. *Be it further enacted*, That the sum of thirty-five dollars each, be appropriated to reimburse Hons. Mr. Warren of Lee, and Mr. Graham of Clay, for expenses incurred in accompanying the remains of the Hon. Mr. Herrington to his residence.

To reimburse
Mr. Warren
and Graham
for expenses
in accompa-
nying home
remains of
Hon. Wm.
Herrington.

20. SEC. XX. *Be it further enacted*, That the sum of three thousand dollars be, and the same is hereby appropriated as an advance to Messrs. Boughton, Nisbet and Barnes, on the State printing for the year 1863, and that the Treasurer be, and he is hereby authorized to pay the same to said State Printers, on the warrant of his Excellency the Governor, of this State.

Advance to
Public Print-
er.

21. SEC. XXI. *Be it further enacted*, That the sum of five thousand dollars be appropriated for the use and benefit of the Henning-sen Hospital, at Richmond Va.; and the Governor is authorized and required to draw his warrant on the Treasury in favor of Mrs. W. A. Henningsen for said sum of five thousand dollars.

For Henning-
sen Hospital
in Richmond,
Va., to be
drawn by
Mrs. W. A.
Henningsen.

22. SEC. XXII. *Be it further enacted*, That the Governor be and he is hereby authorized to import any of the Military supplies necessary to be purchased for the use of our troops, under any of the provisions of this Act; and to use all the means and take all the risks necessary to accomplish this object, and if necessary, in his opinion, he is authorized to purchase one good swift steamer, to be used in running the blockade, for the purposes aforesaid, to export cotton or other commodities, to be used in place of exchange, in the purchase of the necessary supplies. For the purpose of pur-

Governor au-
thorized to
import mili-
tary supplies.

Also, to ex-
port cotton &
other com-
modities for
purpose of
exchange and
to purchase a
steamer if ne-
cessary.

Stationery for Ex. Dep.—Hon. Rich'd Clark—Committee on Academy for the Blind—Rev. Sam'l Higgins

Gov. authorized to purchase and sell or hypothecate cotton or 6 per cent. bonds to purchase steamer. Proviso.

chasing such steamer the Governor is authorized to purchase and sell or hypothecate cotton, or to issue and sell or hypothecate bonds of this State, bearing six per cent interest, payable semi-annually, the principal payable twenty years after this date; *Provided*, that the sum expended for each purchase shall not exceed seven hundred and fifty thousand dollars, which sum is hereby appropriated for that purpose.

For purchase of stationery for Ex. Dept.

23. SEC. XXIII. *Be it further enacted*, That the sum of eighteen thousand dollars be, and the same is hereby appropriated, for the purchase of stationery for the use of the Executive Department.

Extra allowance to Doorkeepers of House and Senate.

24. SEC. XXIV. *Be it further enacted*, That the sum of one hundred dollars be appropriated to each, the Door Keeper of the House of Representatives, and the Door Keeper of the Senate, to pay for negro hire necessary to discharge the duties of their respective offices, the present session of the General Assembly:

To Hon. Rich'd Clark for services in superintending printing and preparing index for Code.

25. SEC. XXV. *Be it further enacted*, That the sum of three hundred dollars be, and the same is hereby appropriated to Richard Clark for his services in superintending the printing of the Code of Georgia, and preparing an index to the same.

To defray expenses of Committee visiting Academy for the Blind.

26. SEC. XXVI. *Be it further enacted*, That the sum of two hundred and thirty-one dollars be, and the same is hereby appropriated to defray the expenses incurred by the Committee who visited the Asylum for the Blind, at Macon, during the present session of the General Assembly.

To Rev. Samuel Higgins for sermon on Fast Day.

27. SEC. XXVII. *Be it further enacted*, That the sum of two hundred dollars be, and the same is hereby appropriated to Dr. Samuel Higgins, for his services, and payment of expenses in attending and preaching a sermon, by invitation of the General Assembly, on the late Fast Day, and the Governor is authorized to draw his warrant for the same on the Treasury, in favor of said Dr. Samuel Higgins; and the farther sum of four thousand eight hundred and twenty-five dollars and twenty-five cents be, and the same is hereby appropriated to the Secretary of State, to pay for fuel, lights, and other contingencies provided by him for the General Assembly, as per account tendered the Finance committee, to be drawn on the warrants of the Governor, and paid out of any money in the Treasury, not otherwise appropriated.

To Sec'y of State for fuel, lights and other contingencies provided by him for General Assembly.

For support of State Lunatic Asylum for 1864.

28. SEC. XXVIII. *Be it further enacted*, That the sum of one hundred and forty-two thousand five hundred dollars be, and the same is hereby appropriated to and for the support of the State Lunatic Asylum, for the year 1864, according to the provisions of an Act passed at the present session of the General Assembly, to appropriate money for the support of the State Lunatic Asylum for the year 1864.

For services of Rev. Jos. J. Ridley as Chaplain of Senate.

29. SEC. XXIX. *Be it further enacted*, That the sum of two hundred dollars be, and the same is hereby appropriated to pay the Rev. Dr. Joseph J. Ridley for his services as Chaplain to the Senate during its present session, to be paid out of the contingent fund.

30. SEC. XXX. *Be it further enacted*, That the sum of twenty-

Compiler of Laws—Great Seal—Superintendent Lunatic Asylum.

five thousand dollars, or as much thereof as may be necessary, is hereby appropriated, to have cast twenty sets of forge hammers and gudgeons, which may be sold to persons at cost.

To purchase
forge ham-
mers and
gudgeons.

31. SEC. XXXI. *Be it further enacted*, That the sum of fifty dollars each, be paid to James S. Walker and R. B. Knight, for services rendered the conference committee upon the bill to reorganize the Militia, in copying said bill, and making out two reports for the committee.

Pay to J. S.
Walker and
R. B. Knight,
for services to
conference
committee on
militia bill.

32. SEC. XXXII. *Be it further enacted*, That the sum of five hundred dollars is hereby appropriated to pay the Compiler of the laws of this session of the Legislature; and that the sum of two thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, to pay George N. Lester, B. H. Big- ham, N. C. Barnett, and S. S. Stafford, commissioners to prepare a new great seal for the State of Georgia, for services, and to reimburse them such funds as they, or either of them may have paid out for the accomplishment of the said work. The Governor is hereby authorized to audit the accounts therefor, and to pay so much of said accounts as he may find just, from any fund in the Treasury, not otherwise appropriated.

Pay to Com-
piler of the
laws of ses-
sion of 1863.

To Hon. G.
N. Lester and
others for ser-
vices in pre-
paring new
Great Seal for
the State.

Gov. to audit
the accounts
for preparing
seal.

Assented to Dec'r 14th, 1863.

TITLE II.

ASYLUMS.

(No. 2.)

Sec. 1. Salary of Superintendent Lunatic Asylum.

" 2. Salaries of Trustees, other officers, and hire of Servants.

" 3. Support of pauper patients.

" 4. Purchase of provisions.

" 5. Contingent appropriation.

" 6. Appropriations, how raised and disbursed.

" 7 \$12,000, appropriated to Georgia Academy for the Blind.

An Act to appropriate money for the support of the State Lunatic Asylum for the year 1864, and for other purposes.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That the sum of two thousand five hundred dollars be, and the same is hereby appropriated, to pay the salary of the Superintendent and resident Physician of the State Lunatic Asylum for the year 1864.

Salary of Su-
perintendent.

2. SEC. II. *And the General Assembly do further enact*, That from and immediately after the passage of this act, the sum of twenty thousand dollars be, and the same is hereby appropriated, to pay the salaries of Trustees, Treasurer, sub-officers, attendants, and servant's hire, for the said Asylum for the year 1864; *Provided*, such amount be found necessary for said purposes.

Salaries of
Trustees,
Treasurer,
sub-officers,
&c.

Contingent Appropriation—Academy for the Blind.

For support
of pauper pa-
tients.

3. SEC. III. *And the General Assembly do further enact*, That the sum of fifty thousand dollars, or so much thereof, as may be necessary, is hereby appropriated, for the support of pauper patients in said Asylum, for the year 1864.

Appropriation to purchase provisions for ensuing year.

4. SEC. IV. *And the General Assembly do further enact*, That the sum of twenty thousand dollars be, and the same is hereby appropriated to supply the means of purchasing provisions in the fall of the year 1864, for the ensuing year.

Contingent appropriation for case of necessity.

5. SEC. V. *And the General Assembly do further enact*, That the sum of fifty thousand dollars, be and the same is hereby set apart and appropriated, as a contingent fund, upon which His Excellency the Governor is authorized to draw his warrant upon the Treasury, if the amount above appropriated for procuring supplies, should become exhausted, and his Excellency be satisfied of the necessity for farther aid.

Now raised and disbursed.

6. SEC. VI. *And the General Assembly do further enact*, That the moneys hereinbefore appropriated, shall be raised and disbursed, in the manner and under the same limitations and restrictions as are prescribed in the fourth and fifth sections of an Act, entitled "An act to appropriate money for the support of the State Lunatic Asylum, for the year 1863, and for other purposes, assented to December 15th, 1862".

7. SEC. VII. All conflicting laws are hereby repealed.

Assented to Dec'r 12th, 1863.

(No. 3.)

An Act for the support of the Georgia Academy for the Blind.

\$12,000 appropriated for Academy for Blind.

7. SECTION I. *The General Assembly of the State of Georgia, do enact*, That the sum of twelve thousand dollars is hereby appropriated for the support of the Georgia Academy for the Blind, during the current political year, and that His Excellency the Governor is authorized to draw his warrant for the same, in favor of the Trustees of said Academy.

8. SEC. II. All conflicting laws are hereby repealed.

Assented to Dec'r 7th, 1863.

TITLE III.

BANKS AND BANKING.

Sec. 1. Stay Law continued in force.

“ 2. When goes into effect.

“ 3. Georgia Treasury Notes may be cancelled on certain conditions, and in lieu certificates may issue.

“ 4. Comptroller General shall register and countersign certificates.

“ 5. How Treasury Notes when cancelled to be disposed of. Treasurer and Comptroller General shall state in their reports amount of notes cancelled and certificates issued.

“ 6. Treasurer and Comptroller General authorized to issue change bills. Under what restrictions.

Sec. 7. Authorized to employ Clerks. How Clerks compensated.

“ 8. For what purpose change bills to be paid out.

“ 9. Location of Bank of Whitfield changed on certain conditions.

“ 10. Name of Traders' and Importers' Bank in Augusta changed.

“ 11. The President and Directors of the North Western Bank of the State of Georgia authorized to carry on their banking operations at Atlanta.

(No. 4.)

An Act to continue in force the fourth section of an act passed over the Governor's veto on the 30th day of November, 1860, entitled an act to provide against the forfeiture of the several bank charters of this State on account of non-specie payments for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several banks and their officers in this State for non-payment of specie, and for other purposes; and also an act to add a proviso to the 4th section of an act entitled an act for the relief of the people and banks of this State, and for other purposes, passed on the 30th of November, 1860, and to add an additional section to said act, assented to December 20th, 1860.

1. SECTION I. *The General Assembly of Georgia do enact, That the* before recited part of an act, and also the before recited act, be, and the same are hereby re-enacted and continued in force until the first day of January, 1865.

2. SEC. II. *Be it further enacted, That this act shall go into effect* and be in force on and after the first day of December, 1863.

SEC. III. Repeals conflicting laws.

Assented to Dec. 1, 1863.

(No. 5.)

An Act to cancel certain portions of the Georgia Treasury Notes lately issued, by issuing Treasury Certificates of Deposit, and for other purposes.

WHEREAS, His Excellency the Governor, in his late annual message, represents that Bankers, Capitalists, and others holding Georgia Treasury Notes, desire to have the same cancelled by re-

Treasurer and Comptroller General to issue one million dollars in Change Bills.

ceiving in lieu of said notes, Treasury Certificates of Deposite, for larger amounts, binding the State to the same obligations contained in the face of said notes;

3. SEC. I. *Be it enacted by the General Assembly of Georgia, That* upon the presentation to the State Treasurer, of five thousand dollars, or any larger amount, of Georgia Treasury Notes, by any holder, who may desire the same to be cancelled by the issue of Treasury Certificates of Deposite, it shall be the duty of the Treasurer to receive, and give Certificates of Deposite, in sums of not less than five thousand dollars for the same; said Treasury Certificates to be made payable in the same manner as is expressed on the face of the Treasury Notes thus cancelled.

Georgia Treasury notes in sums not less than \$5,000 may be cancelled and Treasury certificates issued therefor.

4. SEC. II. *Be it further enacted, That* upon the issue of said Treasury Certificates, they shall be taken to the Comptroller General, who shall register and countersign the same; the registry shall contain the date of issue, the number and amount of each certificate issued.

Comptroller General shall register and countersign certificates.

5. SEC. III. *Be it further enacted, That* upon said Treasury Notes being thus taken up, each number shall be marked redeemed "by Certificate" in the Registry Book in the Comptroller General's office, and once in every two months the Treasurer and Comptroller General shall in the presence of the Governor burn said notes thus cancelled, and his Excellency will cause the proceedings to be entered upon the minutes of the Executive Department, and the Treasurer and Comptroller General are hereby directed in their general reports to give the amount of Treasury Notes thus cancelled, and the amount of Treasury Certificates thus issued:

How cancelled Treasury notes to be disposed of.

Treasurer and Comp. Genl shall state in general report am't of notes cancelled and certificates issued.

Provided, That the cancelling of these notes shall not be reported among the receipts and disbursements at the Treasury; *Provided further, That* the parties who hold said Treasury Notes shall pay all expenses of printing and carrying into effect the provisions of this Act.

SEC. IV. All conflicting laws are hereby repealed.

Assented to 14 Dec. 1863.

(No. 6.)

An Act to authorize the Treasurer and Comptroller General to issue one million of dollars of change bills.

Treasurer and Comp. Genl to issue change bills of this State.

Of what denomination.

For what amount.

Under what restrictions.

6. SEC. I. *The General Assembly do enact, That* the Treasurer and Comptroller General are hereby authorized and required, under the supervision of the Governor, to have prepared, issued, and put in circulation, change bills of this State, of the denomination of four, three, two and one dollars, and of fifty cents, the aggregate amount of which shall not exceed one million of dollars; the said change bills to be issued in the terms of, and under the restrictions of the Act assented to Dec. 5th, 1862, entitled "An Act to

Bank of Whitfield.—Traders' and Importers' Bank—Northwestern Bank.

authorize the Treasurer and Comptroller General of this State, to issue change bills for the State of Georgia, under the supervision of His Excellency the Governor.

7. SEC. II. *Be it further enacted*, That the Treasurer and Comptroller General, under the approval of the Governor, shall have power to employ such number of clerks or assistants as may be necessary, to issue said change bills at an early day, and that said clerks or assistants shall have such compensation for his or their services, as the Governor may deem just. Treasurer and Comp. Gen'l authorized to employ clerks Compensation for clerks

8. SEC. III. *Be it further enacted*, That the Treasurer be authorized to pay out said change bills from the Treasury, in payment of appropriations made by the General Assembly. Change bills for what purposes paid out

SEC. IV. All conflicting laws are hereby repealed.

Assented to Dec. 14th, 1863.

(No. 7.)

An Act to amend the Charter of the Bank of Whitfield Dalton Ga.

9. SEC. I. *Be it enacted &c.*, That the location of the Bank of Whitfield, be, and the same is hereby changed from Dalton Ga., to Atlanta Ga. *Provided*, That nothing in this Act shall be so construed, as to effect, alter, or impair any contract or contracts made with said Bank, or any liability incurred by said Bank. Location of the Bank of Whitfield changed. Proviso.

SEC. II. Repeals conflicting laws.

Assented to Dec. 11th, 1863.

(No. 8.)

An Act to amend an Act to charter and incorporate a Bank in the city of Augusta by the name and style of the Traders and Importers Bank.

10. SEC. I. *The General Assembly of the State of Georgia do enact*, That the name of the Bank incorporated by the above recited Act, shall be from and after the passage of this Act, The Importers and Traders Bank. Name of the Traders' and Importers' Bank of Augusta changed.

Assented to Dec. 1st, 1863.

(No. 9.)

An Act for the relief of the President and Directors of the North Western Bank.

11. SEC. I. *Whereas*, the invasion of the State of Georgia, by the Federal army renders it necessary that the assets of the North Western Bank of Georgia, should be removed from Ringgold, Preamble.

Therefore Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this Act, the President and Directors of the "North Western Bank of the State of Georgia," shall be invested with all the powers, rights and privileges of banking in the city of Atlanta Georgia, that it is secured to them in the charter granted on the fourth day of March eighteen hundred and fifty six, for the North Western Bank of the State of Georgia, located at Ringgold, in the county of Catoosa.

President and
Directors of
the N. W.
Bank of the
State of Ga.
invested with
banking priv-
ileges in At-
lanta.

SEC. II. Repeals conflicting laws.

Assented to Nov. 23rd, 1863.

TITLE IV.

COUNTY OFFICERS.

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| <p>Sec. 1. Repeals Act of 30th November 1861, consolidating offices of Tax Receiver and Collector. Proviso.</p> <p>" 2. Tax Collector of Walker and other counties similarly situated allowed until the 1st day of March 1864, to make final settlement with Comptroller General.</p> <p>" 3. When necessary, Governor authorized to detail a Guard from any forces in the service of Georgia for protection of Tax Collectors in discharge of their duty. In certain cases allowed to summons Guard. Guard to receive pay for their services. Amount of pay.</p> <p>" 4. Ordinaries allowed to charge and receive certain fees in addition to those now allowed by law. Fees. In certain cases same fees as allowed Clerks of the Superior Courts for similar services.</p> | <p>Sec. 5. When fees are increased by any act of present General Assembly, the rate of per centage of increase to obtain on the fees allowed by this Act.</p> <p>" 6. County Treasurers to hold their offices for two years after Jan. 1st, 1864.</p> <p>" 7. Preamble. Act separating offices of Receivers of Tax Returns and Tax Collectors to go into operation 1st day of January 1864.</p> <p>" 8. Act to take effect and be of force from the day of its passage.</p> |
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(No. 10.)

An Act to repeal the Act assented to the 30th day of November, 1861, consolidating the offices of Receiver of Tax Returns and Tax Collector in this State.

1. SEC. I. *Be it enacted by the General Assembly of Georgia, That the Act to consolidate the offices of Receiver of Tax Returns and of Tax Collector in this State, and to require the duties thereof to be discharged by one officer, to be styled "Tax Receiver and Collector," assented to on the 30th day of November, 1861, be; and the same is hereby repealed: Provided, that no Receiver of Tax Returns or Tax Collector shall receive more than fifteen hundred dollars commissions on the general State Tax.*

Repeals act of
30th Nov. '61,
consolidating
offices of Tax
Receiver and
Collector.

Proviso.

Assented to Nov. 30th, 1863.

(No. 11.)

An Act to extend the time for the collection of Taxes in the county of Walker, and to provide a guard for the Tax-Collector in said county, and all other counties similarly situated.

2. SECTION I. *The General Assembly of Georgia do enact, That* the time for the Tax-Collector of Walker county, and all other counties similarly situated, to make his collections and final settlements with the Comptroller General, be, and the same is hereby extended to the 1st day of March, A. D. 1864.

3. SEC. II. *Be it further enacted by the authority aforesaid, That* whenever it shall appear necessary for the protection of the Tax Collector of said county, in the discharge of his duty, the Governor be, and he is hereby authorized to detail all such officers and men from any forces in the service of Georgia, as may be necessary, to act as a guard for said officer, and in all such cases as may appear eminently necessary to the said Tax-Collector, shall be authorized to summons one or more men to act as guards during the continuance of the danger. In which event, the parties, so acting, shall receive the same pay as if in service in either of the Georgia Regiments, to be paid upon warrant of His Excellency the Governor, out of the Military fund of this State.

Assented to Dec'r 14, 1863.

(No. 12.)

An Act to allow the Ordinaries of this State to charge and receive certain fees.

4. SEC. I. *The General Assembly of Georgia do enact, That* the Ordinaries of this State be, and are hereby allowed to charge and receive the following fees, in addition to the fees now allowed them by law, to-wit :

For signing probate of will or codicil,	\$1 25	
For copying of Records per hundred words,	12	Fees.
“ Each certificate or seal,	60	
“ Process against any Executor, Administrator or Guardian charged with mismanagement,	50	
“ Each search,	15	
“ Each case litigated before the Ordinary,	3 00	
“ Issuing commission to examine witness,	1 25	
“ Issuing commission to examine any person alleged to be idiot, lunatic, insane, &c.,	2 50	
“ Decision or judgment on hearing such case,	2 00	
“ Commission to have one year's support set apart to widow or minor,	1 25	
“ Recording return of commission in such case, if under \$500,	1 00	
“ If over \$500,	1 25	

County Treasurers—Receivers of Tax Returns and Tax Collectors.

" Examining books where Ordinary's aid is required,	25
" Examining book and giving extract,	1 00
" Appointing Guardian to each free negro; whole service,	2 50
" Every order passed, (including any fee heretofore allowed for an order,) the whole fee to be,	1 00
" Every copy of such order (including any fee heretofore allowed for copying any order), the whole fee to be,	50
" Every service required and performed for which no fees are specified by law, the same fees as are allowed Clerks of the Superior Courts for similar services, or for a like amount of labor.	

Allowed same fees as Clerks Sup. Courts, when not specified.

When fees are increased, the rate to obtain on fees allowed by this act.

5: SEC. II. That in case the fees of Ordinaries (are?) increased by any Act of this General Assembly, the rate of per centage of increase shall obtain on the fees allowed in this Act.

SEC. IV. All conflicting laws are hereby repealed.

Assented to Dec. 14th, 1863.

(No. 13.)

An Act to define the time, that County Treasurers in the several counties of this State shall hold their offices.

County Treasurers to hold office for two years after Jan. 1st, 1864.

6. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That from and after the first day of January next, the county Treasurers of the several counties in this State shall hold their offices for two years, whether said Treasurers are elected by the people, or appointed by the Inferior Courts.

SECTION II. All conflicting laws are hereby repealed.

Assented to Dec. 14th, 1863.

(No. 14.)

An Act, to amend the 3rd section of the Code, and to carry into effect on the first day of January 1864, an Act passed by the present General Assembly, relative to separating the offices of Receiver of Tax Returns and Tax Collectors of this State.

table.

Whereas the 3rd section of the Code provides, That "All Acts hereafter passed by the General Assembly, unless specially provided otherwise in the Act," shall take effect and be obligatory only from the first day of July next succeeding the date of this passage;" and *whereas* the present General Assembly passed an "Act to repeal an Act assented to the 30th day of November 1861, consolidating the offices of Receiver of Tax Returns and Tax Collector of this State," which was approved by the Governor Nov. 30th, 1863. And the said Act does not state when it shall go into effect, for remedy whereof,

Unlawful Distillation of Grain in this State.

7. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the above recited Act, separating the offices of Receiver of Tax Returns and Tax Collectors shall go into operation on the first day of January, 1864. To go into operation 1st Jan., 1864.

8. SECTION II. This Act shall take effect and be of force from the day of its passage, and that all conflicting laws are hereby repealed. To be of force from its passage.

Assented to Dec. 14th 1863.

TITLE V.

DISTILLATION.

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| <p>Sec. 1. Distilleries run contrary to law declared public nuisances.</p> <p>" 2. Justices of the Peace and Justices of Inferior Court to investigate and suppress. Proceedings in such cases.</p> <p>" 3. Officers liable for failure of duty.</p> <p>" 4. Warrant may be transmitted to Governor in certain cases.</p> <p>" 5. Proceeding by Governor and his officers, when warrant is sent to him.</p> <p>" 6. Distilleries seized, paid by valuation of Inferior Court.</p> <p>" 7. Repeals 5th section of Act 22nd Nov 1862, and allows Government to contract on certain terms.</p> | <p>Sec. 8. Amount restricted.</p> <p>" 9. Violations punished.</p> <p>" 10. Takes effect immediately.</p> <p>" 11. Licenses to distill alcohol granted under certain restrictions.</p> <p>" 12. To be good article. How long license.</p> <p>" 13. Oath and bond of persons licensed.</p> <p>" 14. Violations indictable.</p> <p>" 15. Bonds may be sued on.</p> <p>" 16. Licenses may be withdrawn. Inferior Courts may contract for medicinal use.</p> |
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(No. 15.)

An Act to further provide for the suppression of unlawful distillation of grain and other commodities in this State..

1. SECTION I. *The General Assembly of Georgia do enact,* That each and every distillery which may be run or worked in this State contrary to any or either of the provisions of the laws heretofore passed, to prevent unlawful distillation, is hereby declared to be a public nuisance, and in addition to the remedies heretofore provided, may be abated as follows: Distilleries run contrary to law public nuisances.

2. SECTION II. It shall be the duty of each and every Justice of the Peace, in the several Militia Districts of this State, and Justices of the Inferior Courts, to diligently enquire about every such still as may be either publicly or clandestinely run in his District, or County, and upon being informed on oath, or being otherwise induced to the opinion, that such still or stills are running unlawfully, or that unlawful sales of spirituous liquors are made from the proceeds of such stills, by the owner of said stills or his agent, he shall issue his warrant against the party or parties owning and operating said still, and the still itself, including both, which said Justices of Peace and Justices Inf. Ct. to investigate and suppress.

Unlawful Distillation of Grain in this State.

Proceedings
in such cases.

warrant shall forthwith be delivered to the Sheriff of the county, who, thereupon, shall arrest the party and seize the still. The writ shall be returnable twenty days after it shall thus be issued, and at that time the Magistrate shall summarily try the question with the assistance of twelve free holders of the county, and one or more Magistrates, as to whether or not such still so seized, is a public nuisance. The effect of a verdict of no nuisance, shall be to discharge the party or parties, and release the still. The effect of a verdict of nuisance, shall be to retain both in custody, but the party or parties shall have the right of appeal or *certiorari* to the Superior Court of the county, pending which, however, the still or stills shall be retained in the custody of the officers of the law, and not to be run during the pendency of the suit, but the party or parties shall be at liberty to go at large upon giving bond with good and sufficient security in a sum to be judged of by the Court. This however, shall in no wise exempt such party or parties from indictment under other provisions of law, to prevent unlawful distillation, and it shall be the duty of the presiding Magistrates to investigate fully, whether or not such party or parties have violated any of the provisions of the law, and, in each case, and for each day, to bind such party or parties over in bonds for their appearance to the next Superior Court for trial, or else commit them to jail. The Magistrates shall return their proceedings to the next term of the Superior Court.

Officers liable
for failure in
duty.

3. SECTION III. For non-compliance with the provisions of this Act each officer failing promptly and fully to do his duty, shall be guilty of malpractice in office, and it shall be the duty of the Grand Jury to make presentments thereof.

Warrant
transmitted to
Gov. in cer-
tain cases.

4. SECTION IV. In all cases when in the discretion of the Magistrate or Magistrates, it shall be deemed best, the warrant shall, in the first instance, be transmitted to His Excellency the Governor, who is hereby empowered to have the same executed by any officer of the State, Civil or Military, he may deem the peculiar exigencies of the case require. In which event, the subsequent proceedings shall be as hereinbefore provided.

Proceedings
by Gov. and
his officers
when warrant
is sent to him.

5. SECTION V. In all cases where the Governor shall be informed, that any still or stills are run in any county of this State in violation of law, or that any unlawful sale or sales are made from any such still or stills, and the Justices and other county officers have failed to act, he shall forthwith send an officer or person to be designated by him to the vicinage, who shall investigate the facts, and upon being satisfied that there exists probable cause for the charge against any one or more persons in the county, such officer or person shall make complaint thereof on oath to any Justice of the Peace or Justice of the Inferior Court of the county, or to the Judge of the Superior Court of the circuit of which such county is a part, or in case of his absence, to any Judge of the Superior Courts of this State. The officers thus applied to, shall thereupon issue a warrant for the seizure of the still or stills, as a

Unlawful Distillation of Grain in this State.

nuisance, and the arrest of the person or persons owning or engaged in running the same, including all who either own or are engaged in running the same, so far as they may be set forth in the affidavit, or can be ascertained, which said warrant shall be directed to any lawful officer to execute and return. The Governor shall thereupon cause the same forthwith to be executed by any officer of the State, Civil or Military, he may deem the exigencies of the case require; all further proceedings shall be as provided in the preceding sections, only, that in the event the warrant shall be issued by any Judge of the Superior Courts (it?) shall be made returnable before him on a day to be named therein, at the Court house of the county in which it is charged that the nuisance exists; and it shall be the duty of the Judge to attend on the day mentioned, and assisted by a Jury of twelve free holders make the summary investigation in the preceding sections provided.

6. SECTION VI. The parties owning such distilleries as may be so taken and held by the Government, shall be entitled to pay-^{Distilleries seized to be paid by valuation of Int'r Court.} ment for the same, the value to be fixed by the Inferior Court in accordance with the statutes now in force, providing compensation to owners for stills seized by the Government.*

Assented to Dec. 3, 1863.

*For providing compensation, see Act Dec. 9, 1862, page 28.

(No. 16.)

*An Act to alter and amend an act entitled an act to prevent the unnecessary consumption of grain by distillers and manufacturers of spirituous liquors in Georgia, approved Nov. 22d, 1862; also, to alter and amend an act supplementary to the said recited act, assented to December 11th, 1862, and for other purposes.**

WHEREAS, In the fifth section of the above first recited act, it is provided, that no person distilling under any license authorized by that act, shall sell any whiskey or any other spirituous liquors for more than one dollar and fifty cents per gallon, nor alcohol at more than two dollars and fifty cents per gallon, under the penalties recited in said act; and whereas, since the passage of said act, from the greatly increased and increasing value of grain and labor, of all implements, machinery and articles used in distilling, as well as on account of the heavy taxes imposed by both the Confederate and State governments upon distillers, the above named prices have become wholly inadequate and unremunerative to persons who have heretofore contracted, or may hereafter contract, to distill whiskey or alcohol, for the Confederate government; therefore, for remedy whereof,

7. SECTION I. *Be it enacted, &c.,* That all that part of the said fifth section of said act of the 22d November, 1862, which restricts the price of whiskey to one dollar and fifty cents, and the price of

*See Pam. Act, Nov. 22, 1862, pages 25 and 26. Also, Act Dec. 13, 1862, pages 27 and 28.

Repeals 5th
sec. of act 22d
Nov. 1862, and
allows Gov-
ernment to
procure whis-
ky and alcohol
by contract,
not exceeding
prices fixed
by State Com-
missioners.

alcohol to two dollars and fifty cents per gallon, be, and the same is hereby repealed; and that the Confederate government may, by its officers or agents, contract for the distillation in this State of whiskey and alcohol for the use of the Confederate government, at such price or prices as may be agreed upon by the contracting parties; and the said government may, by its officers or agents, increase the price to be paid for whiskey and alcohol under contracts heretofore made, or hereafter to be made, to distill whiskey or alcohol for said government, to any extent which may be agreed upon; *provided*, such contract price shall not exceed the prices for whiskey and alcohol respectively fixed from time to time in the schedule of prices established by the commissioners for Georgia, appointed under the impressment act of Congress.

Proviso.

Amount re-
stricted.

8. SEC. II. *Be it further enacted*, That, hereafter in issuing licenses for the distillation of whiskey or alcohol for the use of the Confederate government, authorized to be issued by the above recited acts as altered and amended by this act, his Excellency the Governor may issue the same, regardless of the price or prices to be received by the party or parties applying for such license or licenses; *Provided*, such price or prices does not exceed those fixed by the commissioners under the impressment act of Congress, as set forth in the first section of this act; *And provided further*, that nothing in this act shall be so construed as to authorize or require the Governor of this State to issue licenses for the distillation in Georgia, for the use of the Confederate government, of more than one million of gallons of spirituous liquors of all kinds, including alcohol.

Violations
punished.

9. SEC. III. *Be it further enacted*, That all and any such person or persons who may be at any time distilling under any contract with the Confederate government, who shall at any time make or sell or otherwise dispose of any whiskey, brandy, or other spirituous liquors, the product of his or their still or stills, on private account, or to any other person or corporation or partnership, or who may ship from his or their distillery any such product thereof, other than to the government or its authorized agent, he or they so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished, in the discretion of the Court, by fine not less than one thousand dollars for each and every such offense so committed, or imprisonment in the common jail of the county, or both; and any and all officers and agents of the Confederate government who shall consent to any such sale, disposal or shipment, shall be held and deemed a principal in the first degree, and upon conviction thereof, shall be punished by like fine and imprisonment.

Takes effect
immediately.

10. SEC. IV. *And be it further enacted by the authority aforesaid*. That this act shall go into operation and take effect from and immediately after its passage.

SEC. V. Repeals conflicting laws.

Assented to Dec. 14th, 1863.

Governor to grant a license to manufacture Alcohol for medicinal and mechanical purposes.

(No. 17.)

An Act to authorize the Governor of this State to grant a license for the manufacture of Alcohol for medicinal and mechanical purposes.

11. SEC. I. *The General Assembly do enact*, That from and after the passage of this Act, the Governor be, and he is hereby authorized to grant a license for the manufacture of Alcohol for medicinal and mechanical purposes, under the restrictions hereinafter specified, to any person who shall make application for the same, and comply with all the provisions of this Act; *provided*, that the alcohol so authorized to be distilled, shall not be sold for an amount exceeding seventy-five per cent profit upon the actual cost of the same.

Licenses to distill alcohol to be granted under certain restrictions.

12. SEC. II. *And be it further enacted*, That in no case shall a license be granted for the purpose aforesaid, until the applicant has made it satisfactorily appear to the Governor, that he is prepared to produce alcohol of good quality; which license shall not be granted for a longer time than twelve months, and may be renewed at the discretion of the Governor.

To be good article. How long license.

13. SEC. III. *And be it further enacted*, That before a license shall be granted, the applicant shall take and subscribe an oath, that he will not make spirits other than alcohol by himself, his agent or servants; that he will not make more than the number of gallons allowed by the terms of the license, that he will not make it for sale to speculators, and that he will not abuse the privileges granted under this Act, or violate any of its provisions in any respect whatever, and shall give bond and security to the Governor, in the sum of one hundred thousand dollars, that he will faithfully observe the requirements of this Act.

Oath & bond of person licensed.

14. SEC. IV. *And be it further enacted*, That for a violation of any of the provisions of this Act, the person so violating may be indicted and tried for false swearing, and on conviction, be punished in the same manner.

Violation indictable.

15. SEC. V. *And be it further enacted*, That for any violation of the provisions of this Act, the Governor may institute suit on said bond, for the recovery of the full amount of said bond; and should recovery be had, the sum to be applied to the fund for the relief of soldiers' families.

Bonds may be sued on.

16. SEC. VI. *And be it further enacted*, That the Governor be, and he is hereby authorized, whenever it is made appear to him that the privileges of this Act are abused to withdraw from the person abusing the terms of this Act, said license, which withdrawal shall not prevent prosecution for false swearing, or suit on the bond as before provided for; *provided further*, that the Inferior Court of any of the counties in this State may, with the consent of the Governor, contract for such quantity for medicinal use in the county, as the Governor may deem necessary, and all quantities made for the Confederate government shall be estimated as part of the one million of gallons allowed by law.

Licenses may be withdrawn Inf. Courts allowed to contract for medicinal purposes.

SEC. VII. Repeals conflicting laws.

Assented to Dec. 12, 1863.

Increase the per diem pay of School Teachers—Returns of children entitled to the Educational Fund.

TITLE-VI.

EDUCATION.

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| <p>Sec. 1. Educational Board authorized to allow same <i>per diem</i> for teaching poor as other children. Proviso</p> <p>“ 2. Time extended to 1st January 1861, to make return of beneficiaries.</p> <p>“ 3. When Ordinary has removed or is in service, fund may be drawn on certified return of the Clerk of Superior or Inferior Court.</p> <p>“ 4. How estimated and drawn, when no return is made on account of presence of the enemy,</p> | <p>“ 5. Surplus of Educational Fund may be turned over to Inf'r Court for support of indigent families of soldiers.</p> <p>“ 6. Clerks of Courts of Ordinary may draw common School Fund for 1862 and 1863, when Ordinaries have resigned without drawing.</p> |
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(No. 18.)

An Act to increase the per diem pay of school teachers for children entitled to the benefit of the poor school fund of this State.

Educational Board authorized to allow same per diem for teaching poor as other children in same studies.

1. SECTION. I. *Be it enacted &c.,* That from and after the passage of this Act, the Educational Board of the several counties in this State, be, and they are hereby authorized to allow the teachers of children entitled to the benefit of the poor school fund, the same *per diem* pay for teaching said children, as is charged by the same teachers for other children pursuing similar branches of study. *Provided,* said charge shall not exceed sixteen cents per day.

Proviso.]

SEC. II. Repeals conflicting laws.

Assented to Dec. 14, 1863.

(No. 19.)

An Act to extend the time of making returns of the children entitled to the benefit of the Educational fund of Georgia for the year 1863.

Preamble.

WHEREAS, The Ordinary of each county in this State is now required by law, to report to the Governor, under hand and seal, annually, by the 3d Monday in November, the whole number of children in his county, entitled to the benefits of the educational fund; and whereas, it is further provided that if any County neglects to present a proper return to the Governor, by the time prescribed, it loses its share; and whereas, it appears, that a number of counties have forwarded their returns for 1863, which however, failed to arrive before the 3d Monday in November 1863, whilst no returns have as yet been received from numerous other counties of the State. And whereas, the apportionment directed to be made by the Governor, has not yet been completed, and it is manifestly improper, that the children of these several counties should thus be deprived of the benefits of this fund in the present condition of the country, if practicable to prevent it. Therefore for remedy thereof:

Surplus Educa. Fund for benefit of indigent soldiers' families—Clerks or Ordinary can draw School Fund.

2. SECTION I. *The General Assembly of Georgia do enact*, That the time for making the returns required by the law for the year 1863, be extended to the first day of January 1864, and that the Governor shall on that day make the estimate and apportionment of the Educational fund for 1863. Time extended to 1st Jan. 1864, to make returns of beneficiaries.

3. SEC. 2. *Be it further enacted*, That in all cases when the Ordinary of any county may have removed from the county, or be in the Military service of the country, or from any cause be unable or fail to act, it shall and may be lawful for the apportionment and distribution of the educational fund to be made upon the certified return of either the Clerk of Superior Court or Clerk of the Inferior Court of such county. When Ordinary is in service or has removed, funds may be drawn on certified return of the Clerk of the Supr. or Inf. Court.

4. SEC. 3. *Be it further enacted*, That in all cases, when the enemy shall have been in any county of the State, and said county shall have thus failed to make return within the time prescribed, it shall be the duty of the Governor to pay over to the Ordinary, or upon his failure to act, to the Inferior Court of such county, such sum as he may deem equitable and just, at least equal in amount to the sum drawn the next preceding year by such county. How estimated and drawn when no return is made because of presence of the enemy.

Assented to Dec. 11, 1863.

(No. 20.)

An Act to authorize and empower the Ordinaries of the several counties in this State to pay over to the Inferior Courts, any surplus of funds in their hands belonging to the Educational fund, for the benefit of the indigent families of soldiers now in the military service, or who may have died in the service.

5. SECTION I. *The General Assembly of the State of Georgia do enact*, That it shall be lawful for the Ordinaries of the several counties in this State to pay over to the Inferior Courts of their respective counties any surplus of funds in their hands belonging to the Educational fund, not appropriated for the benefit of the poor children of the county, and that said surplus when paid over, shall be subject to disbursement by the Inferior Courts for the relief of the indigent families of soldiers now in service, or who may have died in the service. Surplus Educational Fund may be turned over to Inf. Court and disbursed for relief of indigent families of soldiers.

SECTION II. Repeals conflicting laws.

Assented to Dec. 12, 1863.

(No. 21.)

An Act to allow the Clerks of the Courts of Ordinary of this State to draw Common School funds due their respective counties for the years 1862 and 1863, when the Ordinaries have resigned without drawing the same.

6. SECTION I. *Be it enacted, &c.*, That the Clerks of Courts of

Persons in military service to vote at municipal elections.

Clerks of C'ts
of Ordinary
may draw
common
school funds
for 1862 and
1863, when
Ordinaries
have resigned
without
drawing.

Ordinary of the several counties in this State, be, and they are hereby authorized to draw from the Treasury of this State, the portion of Common School Funds going to and belonging to their respective counties for the years 1862 and 1863, where the same has not been drawn, in the same manner and under the same provisions as the Ordinaries themselves would have been entitled to draw, had they not resigned.

SEC. II. Repeals conflicting laws.

Assented to Nov. 28, 1863.

TITLE VII.

ELECTIONS.

Sec. 1. Citizens in State or Confederate service allowed to vote in municipal elections, at any place where stationed.

" 2. Two resident commissioned officers of the State to preside and hold the election. Under what regulations. Returns to be made. Copy of talley sheet and list of voters to be sent. To whom sent. Elections thus held to be accounted good and valid. Proviso.

" 3. Registry laws not to apply to those thus voting.

Sec. 4. Commissioned officers to subscribe a statement. Requisites of statement. Copy of statement talley sheet and list of voters to be taken in lieu of oath now required by law.

" 5. Act of December 14th, 1862 amended. Section added. Commissioned officers to subscribe statement in writing. Statement.

" 6. Superintendents to journal copies of statement, Talley sheets and list of voters. When forwarded to be taken in lieu of oath now required by law.

(No. 22.)

An Act to authorize all persons in the military service of this State or Confederate States, including those in hospitals, and detailed service to vote at municipal elections.

1. SEC. I. *Be it enacted by the General Assembly of Georgia, That all persons in the military service of this State, and the Confederate States, including those in hospitals, and detailed men for any purpose by the military authority, citizens of this State, who are now by law entitled to vote, or who may at the time of such election, be entitled to vote at any municipal election in this State, be and they are hereby authorized to assemble at such place as they may be stationed at, and cast their votes, as though they were in the town or city where they reside.*

2. SEC. II. That at said elections it shall be lawful for any two commissioned officers, residents of the State, to preside and hold said elections under the same rules and regulations that are now

Citizens in
State or Con-
federate ser-
vice allowed
to vote in mu-
nicipal elec-
tions.

At any place
where sta-
tioned.

Two resident
commissioned
officers of
this State to
preside.

Volunteers and other troops to vote at all elections.

prescribed by law for holding such elections, and make returns of the same, as though the said election had been held in the town or city of the residence of the voters respectively, sending a copy of the list of voters, and a copy of the tally sheet to either the Mayor, Intendant, Alderman, Councilmen or Wardens of the town or city, where the soldiers voting reside; and all elections thus held shall be accounted good and valid; *provided*, the returns thereof, shall reach the proper municipal authority, within fifteen days after the day of said election.

Under what regulations.

Returns to be made.

List of voters and tally sheet to be sent.

Proviso.

3. SEC. III. *Be it further enacted*, That the registry laws in force for all cities and towns in this State, shall not apply to absent soldiers and detailed men, voting under the provisions of this Act.

Registry laws not to apply to those thus voting.

4. SEC. IV. *Be it further enacted*; That said commissioned officers authorized to hold the several elections provided for by this Act, shall, before they proceed to hold said elections, subscribe the following statement in writing; (first state the regiment, Battalion or company of which they are members, station and date); each and both of us declare on honor, that we will faithfully superintend this day's election; that we are commissioned officers in the Confederate, or State service, (state the regiment, Battalion or company,) that we will make a just and true return thereof, that we will not knowingly permit any one to vote, unless we believe he is entitled to do so, according to the laws of Georgia, nor knowingly prohibit any one from voting, who is entitled by law to vote, and we will not divulge for whom any vote was cast, unless called on under the law to do so; and it shall be the duty of said Superintendents to forward a copy of said statement, with the copies of the tally sheet and list of voters, and the same shall be taken in lieu of the oath now required by law to be taken by Superintendents of such elections.

Com. officers to subscribe a statement.

Requisites of statement.

Copy of statement, tally sheet and list of voters to be taken in lieu of oath now required by law.

SEC. V. Repeals conflicting laws.

Assented to Dec. 1st, 1863.

(No. 23.)

An Act to amend an Act entitled an Act to authorize all volunteers and other troops in the service from this State, to vote at all elections without reference to the place where they may be in service at the time of such elections and for other purposes, assented to December 14th, 1862.

Act of Dec. 14th, 1862, amended.

5. SEC. I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act the above recited Act be amended by adding the following section thereto, That said commissioned officers so entitled to hold said elections, shall before they proceed to hold the same, subscribe the following statement in writing: (first state the regiment; Battalion or company,) each and both of us do declare upon honor, that we will faithfully superintend this day's election, that we are commissioned officers of the State or Confederate government, (state the regiment, Battalion or compa-

Sec. added.

Com. officers to subscribe statement in writing.

Statement.

Volunteers and other troops to vote at all elections.

ny) that we will make a just and true return thereof; that we will not knowingly permit any one to vote unless we believe him entitled to do so according to the laws of Georgia; nor knowingly prohibit any one from voting, who is entitled by law to vote, and we will not divulge for whom any vote was cast unless called on under the law to do so.

6. SEC. II. *Be it further enacted*, That it shall be the duty of said Superintendents to forward a copy of said statement with the copies of the tally sheet and list of voters, and the same shall be taken in lieu of the oath now required by law to be taken by Superintendents of such elections.

To be forwarded with tally sheet, to be taken in lieu of oath.

SEC. III. Repeals conflicting laws.

Assented to Dec. 14th, 1863.

Guardians, Trustees &c., may invest in Confederate bonds and in land and negroes.

TITLE VIII.

EXECUTORS, ADMINISTRATORS, GUARDIANS AND TRUSTEES.

Sec. 1. Guardians, Executors, Administrators, and Trustees allowed to invest funds, in Confederate interest bearing notes or in State or Confederate Bonds. Proviso. Must first make application to Judge of Superior Court. Within 12 months after investment full and specific returns to be made.

Same as to investment in land and negroes.

" 2. Preamble. Executors, Administrators, and Guardians may publish notice of sales in newspapers having largest circulation in counties where property is sold.

(No. 24.)

An Act to amend an Act entitled an Act to authorize Guardians, Trustees, Executors and Administrators to invest in Confederate bonds and in land and negroes, assented to December 16th, 1861.

1. SEC. I. *The General Assembly of Georgia do enact, That the* Act to authorize Guardians, Trustees, Executors and Administrators to invest in Confederate bonds and in lands and negroes, assented to December 16th, 1861, is hereby amended as follows: in addition to the investment in said Act authorized, Guardians, Executors, Administrators and Trustees are hereby authorized to invest in interest-bearing Treasury notes of the Confederate States, and all such bonds as may have been and may hereafter be issued by the Confederate States and by the State of Georgia; *provided,* that before making any such investment as in said Act allowed, and as in this Act is allowed, the Exe'r., Adm'r., Guar'n or Trustee, so desiring to invest, shall first make application to the Judge of the Superior Court of the circuit in which he resides, or in case of the absence of such Judge from the State, the Judge of any adjoining circuit for leave to do so, whereupon the Judge is hereby authorized to hear testimony and argument either at term time or at chambers in vacation, as to which of the investments authorized is the best for the interest of the wards, heirs, legatees or *cestui qui trust*; and shall in his order direct in what securities or property the proposed investment shall be made; and whenever such investment shall be made in bonds or interest-bearing notes of the Confederate States of America, or bonds of the State of Georgia, the Executor, Administrator, Guardian or Trustee so investing, shall within twelve months thereafter, make a legal return thereof, in which he shall set forth the prices paid, the time of the purchase and the name of the seller; and whenever the investment shall have been made in land and negroes or other property, he shall set forth a particular description thereof, stating price, and from whom and when purchased, all which shall be entered on record by the Ordinary subject to like scrutiny and exceptions, with other returns of persons acting in any of the above mentioned capacities.

Guardians, executors, administrators, &c., allowed to invest their funds in interest bearing notes of Confed. States & in any bonds of Government or the State, already issued or to be issued.

Proviso.

Must first make application to Judge of Sup'r Court.

Within 12 months after investment full and specific returns to be made.

Same as to investment in land and negroes.

SEC. II. Repeals conflicting laws.

Assented to Dec. 14, 1863.

Sales by Administrators, Executors and Guardians—The hour of the meeting of the General Assembly.

(No. 25.)

An Act regulating the advertising of sales by Administrators, Executors and Guardians, and for other purposes.

Preamble.

WHEREAS, the Code of Georgia requires Administrators, Executors and Guardians to publish the notice of the sales they are authorized to make in the gazette in which the county advertisements are published; and whereas, this means of advertising not unfrequently fails to accomplish the object of giving publicity to those sales, for the reason, that the property to be sold may be located in some county remote from the one in which the gazette aforesaid is published, and where it has little or no circulation;

Administrators, executors and guardians may publish notice of sales in any newspaper or gazette having largest circulation in the counties where property is located.

2. SEC. I. *Therefore, be it enacted, &c.,* That after the passage of this Act it shall be lawful for Administrators, Executors and Guardians, to publish the notice of sales they may be authorized to make for the time prescribed by law, in any newspaper or gazette having a general circulation in the county where the property to be sold is located, and this shall be deemed a full and sufficient notice of such sales,

SEC. II. Repeals conflicting laws.

Assented to Dec. 11, 1863.

TITLE IX.

GENERAL ASSEMBLY.

Sec. 1. Changing the hour of meeting of the General Assembly of the State of Georgia
From what hour. To what hour.

(No. 26.)

An Act to alter and change the hour for the meeting of the General Assembly of the State of Georgia.

Change the hour of meeting.

From what & to what hour changed.

SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the hour for the meeting of the General Assembly of the State of Georgia, be and the same is hereby altered and changed from noon, to the hour of ten o'clock in the forenoon; any law or custom to the contrary notwithstanding.

Assented to Nov. 23d, 1863.

Empire State Insurance Company.

TITLE X.

INSURANCE COMPANIES.

- Sec. 1. Empire State Insurance Company. Capital stock and size of shares.
- " 2. Company incorporated. Name. General powers.
- " 3. Election of Directors and other officers. Vacancies how filled.
- " 4. Powers of President and Directors.
- " 5. May take fire, marine and inland risks of insurance and upon lives. When contracts of company binding. May receive deposits, loan money, discount notes, &c.
- " 6. Liability of company—of Stockholders. How payable.
- " 7. When losses to be paid.
- " 8. Legal effect of notes, &c. Payable at office of Company.
- " 9. Duration of charter.
- " 10. Oglethorpe Insurance Company of Savannah. Corporators. Name. Subscriptions may be received to amount not exceeding one million of dollars; in shares of \$100. Twenty per cent to be paid in at time of subscription, subscriptions to be sealed. How publication for opening books to be made.
- " 11. When corporate powers attach. Powers granted. Proviso as to real estate.
- " 12. Notice of time and place to organize to be given when \$100,000 cash paid in. Notice how given. How many Directors and mode of election. Stockholders allowed to vote according to shares held. Regulations for voting. Duties of commissioners as to issuing certificates of elections and turning over money and books to Directors.
- " 13. Term of office of Directors. President how elected. Vacancies in office of President and Directors how filled.
- " 14. Number of Directors may be increased by convention of Stockholders. Directors may pass necessary By-Laws. Proviso.
- " 15. Directors may receive subscriptions of stock until made up—certificates of stock to be issued. Transfers of stock allowed on conditions.
- " 16. Directors may enforce by suit all assessments by summary process.
- " 17. By whom and how convention of stockholders may be called.
- " 18. When organized may insure against risks by fire, &c., also vessels, freights, profits, &c. May be reinsured.
- " 19. Officers and Stockholders personally liable for any insurance until \$100,000 be paid in.
- " 20. May borrow and invest its money in profits. Liable to suit.
- " 21. Duration of franchise. Liable to taxation.
- " 22. Individual property liable to amount of stock.
- " 23. Charter for thirty years.
- " 24. "Home Insurance Company" incorporated. Capital Stock and size of shares.
- " 25. Corporators. Name. General powers.
- " 26. Election of Directors and other officers.
- " 27. Powers of President and Directors.
- " 28. May take fire, marine and inland risks of insurance and upon lives. When contracts binding. May receive deposits, loan money, discount notes, &c.
- " 29. Life department may be separated from general business. Married women may insure lives of husbands.
- " 30. Liability of Company and stockholders to creditors.
- " 31. Losses against Company, how obtained.
- " 32. Bills, bonds and notes payable at office of Company governed by Bank rules.
- " 33. Charter for 30 years.
- " 34. Charter "Stonewall Insurance Company" amended, 5th, 7th and 8th Secs. of Act April 16, 1862, repealed.
- " 35. Directors may give notice to doubtful Stockholders to strengthen stock, or in default order sale. Purchaser substituted. Defaulters liable to suit.
- " 36. Directors may call in stock notes and assessments on 30 day's notice. Proviso.
- " 37. Conditions of purchasing stock.
- " 38. Name of Southern Insurance Company changed.

(No. 27.)

An Act to incorporate an Insurance Company in the city of Macon, to be called the "Empire State Insurance Company."

1. SEC. I. *Be it enacted by the General Assembly of Georgia, That there shall be established in the city of Macon, an Insurance company, the capital stock of which shall be three hundred thousand dollars, but which may be increased to a further sum of one mil-*

Capital stock and size of shares.

Empire State Insurance Company.

lion of dollars should the interest of the company require it, to be divided into shares of one hundred dollars each, but said company may organize and proceed to business when one hundred thousand dollars shall have been subscribed, and twenty per cent paid thereon.

2. SEC. II. *Be it further enacted*, That for the purpose of organizing said corporation, J. E. Jones, J. W. Fears, James J. Snider, P. Loud, and Geo. S. Obear or a majority of them, citizens of Macon, their associates and successors, are hereby created a body corporate under the name and style of the "Empire State Insurance Company," by which name they may have, purchase, receive, possess, enjoy and retain, and sell property of all kinds, sue and be sued, have and use a common seal, which they may break, alter and renew at pleasure, elect its own officers, and make such By-Laws, rules and regulations as may be deemed necessary to carry into effect the objects of this corporation.

3. SEC. III. The said corporation shall be managed by not less than five Directors; a majority of whom may constitute a quorum, for the transaction of business, each of which directors shall be a stockholder to an amount not less than ten shares, who shall be elected at such time and place as the corporators or their successors may designate, and hold their offices for one year, or until their successors are elected; the directors aforesaid shall out of their number elect a President, who shall serve for twelve months, or until a successor is elected, and fill any vacancy occasioned by death or otherwise in the office of the President, and with the advice and consent of the President, elect a Secretary, Actuary, or any other officers or Agents whose services may be needed in carrying out the objects of this corporation; a vacancy in the Board of Directors occurring during the period of their election may be filled by the remaining Directors until the next annual election by the Stockholders; at all elections by the Stockholders a Stockholder may vote by proxy, none but a Stockholder acting as such proxy.

4. SEC. IV. *Be it further enacted*, That the President and Directors shall have power to appoint and remove at pleasure all officers or agents of said corporation; They shall have power to appoint agents and locate offices in such places and at such times as they shall deem best for the interests of said company; to prescribe the duties of agents and officers, to take from them bonds for the faithful performance thereof, to appoint a President *pro tem*, in the absence of the President; and further, the said President and Directors shall have power and authority from time to time to call for the payment of the unpaid stock in such sums as they may deem proper, and said stock shall be considered and held as personal property; and upon the neglect or refusal of any Stockholder to pay the instalment as called for by the President and Directors therefor, thirty days' notice being given in any one or more of the city papers, said Board may sell such stock at public outcry, and said delinquent Stockholders shall be liable for any balance due,

or which may become due by him or them to said corporation, and may be sued for in any Court having jurisdiction; and the said President and Directors shall have further power to make dividends and fix the place, and define the manner of paying the dividends, paying interest and transferring stock, and no stockholder shall have power to transfer his stock in said corporation while indebted to the same, and said stock shall not be liable for any other obligation, so long as he is a debtor to said corporation for money borrowed, or premiums due, or installments unpaid.

To regulate dividends and transfer of stock.

Stockholder indebted to Co., his stock nor transferable or liable.

5. SEC. V. *Be it further enacted*, That said corporation shall have authority to insure against losses by fire in all kinds of property, real, personal, or mixed; also against all the hazards of ocean or inland navigation, and transportation of every kind; also to make insurance on lives, and all and every insurance appertaining to the duration of human life, for such nett premiums as they may determine; and said company shall be liable to make good, and pay to the several persons who may insure in said company, for the losses they may sustain, or for life insurance, in accordance with the terms of the contract or policy issued by said company; and no policy or other contract of said company shall be binding, except it be signed by the President or Vice President, Secretary or Actuary of said company; and said company shall have power to receive money on deposit, to loan and borrow money, to take and give such securities therefor as may be considered best, to invest its moneys upon such terms as may be best, and transfer its property at pleasure; to purchase and discount notes and bills of exchange, and to do all other acts it may deem advisable for the safe keeping and secure investments of its funds; and said company shall have power and authority to make re-insurances of any risks that may be taken by them.

May take fire, marine and inland risks of insurance, and upon lives.

When contracts of Co. binding.

Power to receive deposits, loan money, discount notes, &c.

6. SEC. VI. *Be it further enacted*, That said company shall be responsible to its creditors to the extent of its property; and the Stockholders shall be liable to the extent of double the amount of their respective stocks, payable in currency, for the debts of the company, in proportion to the number of shares held by each.

Liability of Co.

Stockholders.

How payable.

7. SEC. VII. *Be it further enacted*, That all claims for losses against said company shall be due and payable in sixty days after proof of the loss has been furnished at the office of said company; and in disputed cases, in ten days after final decision of the proper tribunal; and in each case named, the sum ascertained to be due shall bear interest from the time made due and payable.

When losses to be paid.

8. SEC. VIII. *Be it further enacted*, That all bills, bonds, and promissory notes made payable at the office of said company, shall have the same legal effect, and may be subject to all legal remedies, the same as if they were made payable at any bank in this State.

Legal effect of notes, &c., payable at office of Co.

9. SEC. IX. *Be it further enacted*, That this charter shall be in full force and effect for the term of thirty years.

Duration of charter.

SEC. X. Repeals conflicting laws.

Assented to Nov. 24, 1863.

(No. 28.)

An Act to incorporate the Oglethorpe Insurance Company of Savannah.

10. SECTION 1. *Be it enacted &c.*, That Robert Habersham, Edward Padelford, Andrew Low, John L. Villalonga, James W. Lathrop, James McHenry and Noble A. Hardee, be and are hereby constituted and appointed commissioners to open books of subscription to the capital stock of the company by this act to be incorporated, and to be located in the city of Savannah, in this State, to be called "The Oglethorpe Insurance Company of Savannah;" said commissioners, or any three of them, shall have power, and are hereby authorized to keep open said Books for such time as they may think proper in the city of Savannah, and at other places if they deem it proper so to do, and receive all subscriptions that may be offered to an amount not exceeding in the whole one million of dollars, in shares of one hundred dollars each, whereof twenty per cent shall be paid to said commissioners at the time of subscription, but should it so happen, that subscriptions to an amount exceeding one million of dollars, which shall be the extent of the capital stock of said company, be received by the acting commissioners, while the books are open, it will be their duty to scale down the subscriptions for the greatest number of shares, so as to reduce the whole subscription to one million of Dollars, and said commissioners shall give notice of the time and place or times or places of opening such books by publication in at least one newspaper published in the city of Savannah, and in such other papers as they may deem best, at least twenty days before the time appointed for opening the books. All subscriptions which may be made in pursuance of this act shall, with the exception of the payment herein before required to be made at the time of subscribing, be binding on the subscribers respectively, their heirs and legal representatives, and be payable in such instalments and at such times as the President and directors, to be constituted under this act may prescribe in conformity with the provisions of this Act.

2. SECTION II. *And be it enacted by the authority aforesaid*, That when the subscription, authorized in the first section of this Act shall amount to one million of dollars, or when one hundred thousand dollars in cash shall have been received by said commissioners, on account of said subscriptions, then said subscribers shall be and become a body corporate and politic, with continued succession, under the name of the Oglethorpe Insurance Company of Savannah; and by that name shall exercise corporate powers and be competent to contract and be contracted with, sue and be sued, plead and be impleaded, in any court having Jurisdiction in the subject matter involved; and shall be capable of receiving, purchasing, holding, owning and using property of all descriptions,

Corporators.

Name.

Subscriptions
may be rec'd
to an am't not
exceeding
\$1,000,000, in
shares of \$100

20 per cent to
be paid in at
time of sub-
scription.

Subscriptions
to be scaled,
if making
over a million
capital.

How publica-
tion for open-
ing books to
be made.

When corpo-
rate powers
attach.

Powers grant-
ed.

of aliening, conveying, leasing, mortgaging or otherwise disposing of the same in any manner that a natural person lawfully might dispose of similar property, *Provided*, that said company shall not have, or hold, or own more real estate than may be considered necessary for offices, and other buildings, wherein to carry on its business, except for the purpose of collecting some debt, or due, or demand of the company; said company shall have power to make and use, renew and alter at pleasure a corporate seal, and to do all acts and things necessary or proper to carry into effect the objects and purposes of this Act, and the business of said corporations, not inconsistent with the laws of this State or of the Confederate States.

Proviso as to real estate.

12. SECTION III. *Be it further enacted by the authority aforesaid*, That when the Commissioners who may act to receive subscriptions, as provided for by the first section of this Act, shall have received one hundred thousand dollars in cash, on account thereof, they shall cause notice to be given to the subscribers by advertisement, in at least one newspaper published in the city of Savannah, and elsewhere if they see fit, two consecutive weeks prior to the time appointed for the meeting of the subscribers, requiring them to assemble at the time and place to be designated in the publication, to organize and elect a board of directors. On the assembling of the subscribers, or such of them as may choose to attend, the Commissioners who may act, shall proceed to hold an election for Directors of the company, seven in number, to be chosen by ballot from the stockholders, and no person shall be a director of said company who shall not be a stockholder to the extent of twenty shares and upwards. All stockholders, at all elections of the company, and in all matters pertaining to the interests of the company, acted on in convention, shall be entitled to one vote for every share of stock owned and may vote in person or by proxy in writing. Executors and Administrators shall be entitled to control the votes to which the testator or intestate would be entitled if living, and the stock of minors will be represented by their Guardians. All votes shall be by ballot and in all cases a plurality of the votes given shall elect. The Commissioners who may act (any three or more named in the first section of this Act,) shall be judges of the first election of directors, and shall receive and count the votes, and ascertain the result and certify accordingly, and the certificate of three or more of said Commissioners, who may act, shall be sufficient evidence of the election of the persons declared by them to be elected. After the election of said Directors, the Commissioners shall deliver to the Board of Directors chosen, all moneys and credits in their hands, and the subscription books to the stock of said company, and an account of all their actings and doings as such Commissioners; whereupon their functions shall cease.

Notice of time and place to organize shall be given when \$100,000 cash is paid in.

Notice how given.

How many Directors, and mode of election.

Stockholders allowed to vote according to shares held.

Regulations for voting.

Duties of Commissioners as to issuing certificates of election and turning over moneys and books to Directors.

13. SECTION IV. *Be it further enacted by the authority aforesaid*, That the first and all subsequent boards and Directors shall be

Oglethorpe Insurance Company.

Tenure of
office of Di-
rectors.
President
how elected.

elected to serve for one year, or until the election of their successors, and each board shall choose one of their own number as President, who shall act as President of the Company, and shall be so styled, and shall hold the office of President until the election of his successor. Every board of Directors shall have power to fill all vacancies, which may occur in the office of Director or President, and may appoint from their own body, or from the body of the stockholders, a President *pro tempore*, to serve as President of the company, during the absence of the regular President.

Vacancies in
office of Pres-
ident or Di-
rector, how
filled.

Number of
Directors
may be in-
creased by
convention of
stockholders.

Directors may
pass all neces-
sary by-laws.

14. SECTION V. *Be it further enacted by the authority aforesaid,* That the number of Directors of said Company shall consist of seven, including the President, but the company in convention shall have the power to increase or diminish the number of Directors, as may be desired. A majority of the Directors known to be in the city of Savannah at the time of meeting, including the President or President *pro tempore*, shall constitute a board for all purposes, which shall have power to enact all by-laws which may be deemed necessary and proper for the business of the Company, and may amend and repeal the same; and may exercise all the powers granted by this Act to the Company to be organized under it, and may confer on the President and other officers to be appointed, such powers as may be deemed proper, consistent with this Act; and may appoint all such officers and agents as the board may deem necessary and proper for the business of the company, and fix their rate of salary or compensation; and may require of any officer or agent appointed by the board such bond and security as may be deemed proper to secure the faithful discharge of duty, and trust of such officer, or agent, and may declare and pay or cause to be paid to the stockholders, at such time and manner as they may think proper, dividends, from the earned profits of the Company. *Provided always,* that the stockholders in convention shall have power to regulate and limit the discretionary powers conferred on the board of Directors, and to repeal, alter or amend any by-law or regulation which may be enacted or established by the board of Directors.

Proviso.

Directors may
receive sub-
scriptions of
stock till
made up.

Certificates of
stock to be is-
sued.

15. SECTION VI. *Be it further enacted by the authority aforesaid,* That in case the subscriptions to the capital stock of said company received by the Commissioners, while exercising their functions under this Act, shall not reach one million of dollars, the board of directors after the organization of said company, as herein before provided, may continue to receive additional subscriptions to the stock of the company on such terms and payable in such manner as the board may prescribe, until the whole sum, namely, one million of dollars authorized to be subscribed for by this Act, shall have been subscribed. Certificates of stock shall be issued to stockholders in such form and manner as the Board of Directors may prescribe, and the board shall have power from time to time to prescribe and regulate the manner in which the stock, or certificates of stock may be transferred, but no transfer-

Oglethorpe Insurance Company.

or assignment of stock shall operate to release the subscriber from any obligation to the company, without the express agreement or consent of the Board of directors. Transfers of stock allowed on conditions

• 16. SECTION VII. *Be it further enacted*, That in case any subscriber to the stock of the company shall fail or refuse to pay any of the assessments or calls for payments, which may be made by the Board of Directors, within the time required, the Board of Directors may at any time thereafter, proceed to enforce the payment of the entire indebtedness for subscription to stock of such defaulting subscriber, by bringing suit therefor, in the Courts of the city or county where such defaulting subscribers resides, and when no valid defense is set up, judgement shall be given and entered at the first term of the Court, to which suit is brought, or the said stock belonging to such delinquent may be, by resolution of the Board of Directors, sold, in which case the portion previously paid in shall be forfeited to the company. Directors may enforce by suit all assessments by summary process.

17. SECTION VIII. *Be it further enacted*, That any number of the Stockholders of said company who own or represent at the time one quarter of the actual capital stock, may, by giving twenty days notice thereof, in at least one of the newspapers published in the city of Savannah, call a meeting or convention of all the Stockholders of the company, at such time and place in the city of Savannah, as may be in said call designated, but no act of the Stockholders in convention, except the election of Directors, shall be valid or binding on the company, unless a majority of the stock shall be duly represented. By whom and how convention of stockholders may be called. Proviso.

18. SECTION IX. *Be it further enacted*, That when said company shall have received from the Commissioners in manner stated in section three, the sum of one hundred thousand dollars, the said company shall have power to insure against loss or damage by fire, dwelling houses, stores, ware houses, mills, manufactories, vessels in port and their cargoes, produce, merchandise, furniture, and everything that can be lawfully insured against fire. Also to insure vessels, cargoes, freights, profits, bottomry, and *respondentia* interests, and to transact every kind of marine and inland navigation and transportation insurance business, and for all such insurances to fix rates of premium, and collect the same; and said company shall have the right to cause themselves to be re-insured, whole or in part, against any risk upon which they may make insurance. When organized, may insure against risks by fire, &c. Also, vessels, freight, profits, &c. May be re-insured.

19. SECTION X. *Be it further enacted*, That said company shall not make any insurance, until as much as one hundred thousand dollars of the capital stock shall have been paid in, and if they shall make such insurance, contrary to the provisions of this section, all officers and stockholders who assent thereto, shall be personally liable for such insurance. Officers and stockholders personally liable for any insurance until \$100,000 paid in.

20. SECTION XI. *Be it further enacted*, That the said Company shall have power to borrow money and issue its obligations therefor, to invest its money and property in such manner as the May borrow and invest its money and profits.

The Home Insurance Company.

Liable to suit.

Board of Directors may approve, not inconsistent with the provisions of this Act, and the said property and securities to sell and transfer at pleasure. It may loan its money or property to any person, or persons, or corporation, on any security it may think proper, and all persons and corporations shall have the same remedies against said company, for any claim or demand against it, which the company may possess, for the enforcement of its claims and demands against all persons, other than its stockholders, as well as all other legal remedies.

Duration of franchise.

21. SECTION XII. *Be it further enacted*, That this Act, and all the privileges and powers herein granted, shall continue in force for the term of thirty years, from and after the organization of the Company, which may be organized under said Act, and the property, funds and business transactions of said company during its existence, shall be subject to the same rate of taxation as is or may be imposed by law on money or property of the same kind and similar business transactions of individuals, like corporations or citizens of this State.

Liable to taxation.

22. SECTION XIII. *Be it further enacted*, That the individual property of each stockholder shall be held and bound for all losses or liabilities, in proportion to the amount of stock held by each.

Individual property liable to amt of stock.

Charter for 30 years.

23. SECTION XIV. *Be it further enacted*, That this charter shall be in full force and effect for the term of thirty years.

SECTION XV. Repeals conflicting laws.

Assented to Nov. 24, 1863.

(No. 29.)

An Act to incorporate an Insurance Company to be called "The Home Insurance Company."

Capital stock and size of shares.

24. SECTION. I. *Be it enacted by authority of the State of Georgia*, That there shall be established in the city of Savannah, or some other city, under the jurisdiction of the State of Georgia, an Insurance Company, the capital stock of which shall be five hundred thousand dollars, but which may be increased to two million and a half dollars, should the interest of the company require it, to be divided into shares of fifty dollars each, but said company may proceed to organize and commence business, when one hundred thousand dollars, shall have been subscribed, and twenty per cent paid thereon.

Corporators.

25. SEC. II. *Be it further enacted*, That John C. Ferrill, Isaac D. LaRoché, W. C. Butler, E. C. Wade, A. Wilbur, Jno. W. Anderson, D. H. Baldwin, Wm. Nagle Habersham and Henry Brigham of Savannah, E. C. Granniss, Isaac Scott, G. R. Barker of Macon, C. H. Johnson, A. Meritt, of Griffin, L. B. Davis, J. T. Porter, L. S. Salmons, M. S. Cohen, of Atlanta, or any five of them, their associates and successors, are hereby constituted a body corporate, under the name and style of "the Home Insurance Company", under which name they may have, purchase, receive, possess, enjoy and

Name.

The Home Insurance Company.

retain, and sell property of all kinds, necessary for the conducting of its business, or for the better securing of any debt due the corporation; sue and be sued; have and use a common seal, which they may break, alter and renew at pleasure, elect its officers and make such by-laws, rules and regulations, as may be deemed necessary to carry into effect the object of this corporation.

General powers.

26. SEC. III. *Be it further enacted*, That said corporation shall be managed by not less than seven Directors, five of whom shall constitute a quorum for the transaction of business, each of which Directors shall be a stockholder to the amount of fifty shares, who shall be elected at such time and place as the Corporators and their successors shall designate, and hold their office for one year, or until their successors shall be elected. The directors aforesaid shall out of their number, elect a President, who shall serve for twelve months, or until a successor is elected, and fill any vacancy by death, or otherwise, in the office of President; and with the advice and consent of the President, elect a Secretary, Actuary or any other officers or agents whose service may be needed in carrying out the objects of this corporation. A vacancy in the Board of Directors can only be filled by the stockholders at a meeting, after notice of the time and place of meeting, and further, there shall be one vote for each share, and that absent stockholders may vote by proxy; *Provided*, the party so voting by proxy, is himself a stockholder.

Election of Directors and other officers.

27. SEC. IV. *Be it further enacted*, That said President and Directors shall have power to appoint and remove at pleasure, all officers or agents of said corporation; they shall have power to appoint agents, and locate offices in such places, and at such times, as they shall deem best for the interest of said company; to prescribe the duties of agents and officers; to take from them bonds for the faithful performance thereof; to appoint a President *pro tem*, in the absence of the President; and further, that said President and Directors shall have power and authority, from time to time, to call for the payment of the unpaid stock, in such sums as they may deem proper, and such stock shall be held and considered as personal property, and upon the neglect or refusal of any stockholder to pay the installments, as called for by the President and Directors, thereupon ten days notice being given in one or more of the public prints said Board may sell such stock at public outcry, and said delinquent stockholder shall still remain liable for the balance due, or which may become due by him to said corporation, and may be sued therefor in any Court having jurisdiction; and said President and Directors shall have further power to make dividends, and fix the place and define the manner of paying the dividends, paying interest, and transferring stock; and said President and Directors shall also have the power to give holders of the policies of said Company the right to participate in the nett profits of the company, to such an extent, in such manner, and upon such terms, as they may deem proper.

Power of President and Directors.

To appoint agents and local officers.

To sell stock of delinquent stockholders.

Regulate dividends and transfer of stock.

Holders of policies to participate in net profits.

The Home Insurance Company.

May take fire, marine and inland risks of insurance, and upon lives.

When contracts of Co. binding.

Power to receive deposits, loan money, discount notes, &c.

28. SEC. V. *Be it further enacted*, That said corporation shall have authority to insure against losses by fire, in all kinds of property either real, personal, or mixed, or choses in action; also, against all hazards of ocean, or inland navigation, or transportation of any kind; also, to make insurance on lives, and all and every insurance appertaining to the duration of life, for such premium as it may determine; and said company shall be liable to make good, and pay to the several persons, who may insure in said Company for the losses they may sustain, or for life insurance, in accordance only with the terms of the contract, or policies issued by said company; and no policy or other contract of said Company shall be binding; except it be signed by the President, or Vice-President, Secretary or Actuary, of said Company; and said Company shall have power to receive money on deposit, paying therefor such interest as may be agreed upon; to loan and borrow money, to take and give therefor such securities as may be considered best; to invest its funds upon such terms as may be best, and transfer its property at pleasure; to purchase and discount notes and bills of exchange, and do all other acts it may deem advisable, for the safe-keeping and secure and profitable investment of its funds; and said Company shall have power and authority to make re-insurance of risks that may be taken by them.

Life department may be separated from general business.

29. SEC. VI. *Be it further enacted*, That said Company shall have power, when deemed advisable by them, for the interest of the Company, to separate the life department of their business from the general business of the Company, and when so separated, all the funds, whether received for premium, interest, dividend or otherwise, in said department, shall be held as a separate and sacred trust, for the sole use and benefit of those, who may be insured in that department, free from all other claims against said corporation of every kind; and it shall be lawful for any married woman to insure the life of her husband, for the sole use and benefit of herself and children, and to pay the premium for the same.

Married women may insure lives of husbands.

Liability of Co. and stockholders to creditors.

30. SEC. VII. *Be it further enacted*, That the said Company shall be responsible to its creditors to the extent of its property, and the stockholders shall be liable to the extent of the full amount of their respective stock, subscribed for by them, for the debts of the company, in proportion to the number of shares held by them, but no stockholders shall sell or transfer his stock while he remains indebted to this company without the consent of the Company.

Losses against said Co. how obtained.

31. SEC. VIII. *Be it further enacted*, That all claims for losses against said Company, shall be due and payable in sixty days after proof of the loss has been furnished, at the office of said Company, and in disputed cases, in ten days after final decision of the proper tribunal, and in each case named the sum ascertained to be due, shall bear interest from the time made due and payable.

Bills, bonds notes payable at office of said Co., governed by bank rules.

32. SEC. IX. *Be it further enacted*, That all bills, bonds and promissory notes made payable at the office of said Company, shall have the same legal effect, and may be subjected to all legal remedies,

Stonewall Insurance Company.

the same as if made payable to any Bank in the State, and all privileges of removal heretofore granted to the Banks of Savannah, in case of invasion or otherwise, are hereby granted to this Company.

33. SEC. X. *Be it further enacted*, That this charter shall be in full force and effect for the term of thirty years. Charter for 30 years.

SEC. XI. Repeals conflicting laws.

Assented to Dec'r 7, 1863.

(No. 30.)

An Act to amend an Act, entitled an Act to incorporate the Stonewall Insurance Company, and for other purposes, assented to April 16th, 1862.

34. SECTION. I. *The General Assembly do enact*, That the fifth, seventh and eight sections of said Act, be, and the same are hereby repealed, and the following be substituted in lieu thereof: Repeals 5th, 7th and 8th Secs. of Act of Apr. 16, 1862.

35. SEC. V. *Be it further enacted*, That the Directors shall have power to inquire into said stock notes at any time; and if doubt is entertained as to the solvency, it shall be their duty forthwith to give notice to the maker of such doubtful note to strengthen the same in ten days, and if not done in that time to the satisfaction of the Directors, the membership of said defaulting party shall cease, and determine from the day of default, and the stock held by such defaulter shall be advertised ten days, at the expiration of which time it shall be sold at public sale to the highest bidder, who shall make his stock note acceptable to the Directors, and the purchaser of such stock shall be substituted for the defaulting party. The proceeds from the sale of such stock shall first indemnify the Company for any loss and expenses incurred by such default, and the balance shall belong to the defaulting party, notwithstanding such defaulting party shall be liable to suit, for his *pro rata* share of loss sustained by the Company, prior to the sale of his stock. Directors may give notice to doubtful Stockholders to strengthen stock notes, or in default, order sale.
Purchaser substituted.
Defaulter liable to suit.

36. SEC. VI. *Be it further enacted*, That the Directors shall have power to call in any portion of said stock notes; *provided*, it is needed to pay off losses sustained by the Company, and will also give thirty days notice of said call. And also, have power in their discretion, to call in installments of said notes, for other purposes; *provided*, they give thirty days notice thereof, and do not call in more than ten per centum of said notes, at any one time. And any stockholder failing to respond to the call, in either instance, in the time named, shall, at the discretion of the Directors, be liable to the condition and penalties of a defaulting party in Section fifth. Directors may call in stock notes and assessments on 30 days notice.
Proviso.

37. SEC. VII. *Be it further enacted*, That no person shall become a stockholder in this Company by the purchase of stock, except he shall make his stock note acceptable to the Directors; nor shall the liabilities of any stockholder to the conditions of this charter, cease, by sale of his stock, until such stock shall have been transferred on the books of the Company.* Conditions of purchasing stock.

Assented to Nov. 26, 1863.

*For Act of Incorporation, see Acts of 1862, page 147.

(No. 31.)

An Act to amend an Act incorporating the Southern Insurance Company, passed December 17th, 1861.

Preamble.

Whereas, In consequence of the similarity of names, (there being no less than five companies already in existence, with the word "Southern" in their title,) confusion, to a greater or less degree, exists among those doing business with said companies, and where-as, it will be for the interest of the public generally, that a title designating this Company more particularly, be adopted, there-fore,

Name of the
Southern In-
surance Com-
pany; changed

SECTION I. *Be it enacted, &c., That the title of the the Southern Insurance Company, be changed, "To the Southern Insurance and Trust Company of Savannah".**

SEC. II. Repeals conflicting laws.

Assented to Dec'r 5, 1863.

*For Act of Incorporation, see Acts of 1861, page 47.

TITLE XI.

JUDICIARY.

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| Sec. 1. Justices of the Inferior Court shall re-organize Jury Boxes. When done. Who liable. | " 8. Business transferred. |
| " 2. Of force for war. | " 9. Supr. and Infr: Courts of McIntosh Co. where held. |
| " 3. Adjournment of Superior Courts by Clerks legalized in certain cases. | " 10. Clks. Supr. and Infr. Courts of Charlton Co. must keep their offices at Court-house. |
| " 4. Inferior Court may select place to hold Sup'r. and Infr. Courts of Glynn county. | " 11. Respondent may recriminate in divorce cases, and jury must grant divorce to libellant or respondent, according to proof. |
| " 5. Time of holding Infr. Court of Miller Co. changed. | " 12. Forfeiture for refusing to grant writ of Habeas Corpus. |
| " 6. Time changed for holding Infr. Court of Stewart Co. | " 13. Legalizing marriages between first cousins. |
| " 7. Change of Infr. Court of Pike Co. | |

Changes in Code, by amendment and repeal.

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| Sec. 14. Repeals Sec. 4459 of Code. | " 24. Kind of notice prescribed. |
| " 15. Makes forestalling, regrating and engrossing indictable. | " 25. Caveat how tried. Appeal to Supr' Court allowed. |
| " 16. Penalty for violating Sec. 1855 of Code. | " 26. Costs how paid. |
| " 17. Sec. 611 of Code amended. | " 27. Tax defaulters double taxed first year, four fold second year, &c. |
| " 18. Sec. 2480 amended. | " 28. Sec. 633 of Code repealed. |
| " 19. Repeals so much of Code as prohibits creation of trusts for male persons of sane mind. | " 29. Sec. 1639 of Code amended. Proceeding to obtain charters for manufacturing purposes. |
| " 20. Sec. 1353 of Code repealed. | " 20. As to cases pending. |
| " 21. Legalizes marriages not solemnized accordingly. | |
| " 22. Secs. 3 and 12 of Code repealed. | |
| " 23. Secs. 2509, 2510, 2512 and 3618 of Code repealed, as to requiring notice in a gazette, to obtain titles on bonds of deceased persons. | |

(No. 32.)

An Act to reorganize the Jury Boxes of the several counties in this State, and to point out who shall be liable to serve on Juries.

1. SECTION I. *The Senate and House of Representatives of the State*

Adjournments of Superior Courts—Place of holding Superior and Inferior Courts in Glynn co.

of *Georgia* do enact, That the Justices of the Inferior Courts of the several counties of this State, or a majority of them, shall meet at their respective Court-houses, on the first Monday in June next, or so soon thereafter as practicable, and cause lists of the names of all the citizens of such counties over the age of twenty-one years who are not physically and mentally unable to serve on juries, to be made out and placed in the jury boxes of said counties, which persons shall be required to serve on juries, regardless of age or profession, except practicing Attorneys at Law.

Justices of
Infr. Court
shall reorgan-
ize jury boxes

When done.

Who liable.

2. SEC. II. *Be it further enacted*, That this Act shall be of force from its passage, and shall continue until the termination of the war.

Of force for
war.

SEC. Repeals conflicting laws.

Assented to Dec. 7, 1863.

(No. 33.)

An Act to legalize and make valid all adjournments of the Superior Courts of the several counties of this State by the Clerks of said Courts, where the presiding Judges of said Courts may have been absent, and may have failed to issue an order for adjournment to the Clerks of said Courts, from Providential cause.

3. SECTION I. *Be it enacted, &c.* That in all cases where any of the Superior Courts of this State may have been adjourned by the Clerks of said Courts, in the absence of the presiding Judge, who may have failed to issue an order for adjournment to the said Clerk, from Providential cause, said adjournment by said Clerks are hereby legalized, and declared to be valid, to all intents and purposes.

Adjournment
of Supr. Court
by Clerks le-
galized in cer-
tain cases.

SEC. II. Repeals conflicting laws.

Assented to Nov. 18, 1863.

(No. 34.)

An Act to alter and change the place of holding the Superior and Inferior Courts of the county of Glynn.

WHEREAS, The Court-house of said county is untenable on account of the proximity of the enemy at Brunswick.

4. SECTION I. *Be it enacted by the General Assembly of Georgia*, That from and after the passage of this Act, the Superior and Inferior Courts of the county of Glynn, shall be held at such place as the Inferior Court may select.

Infr. Court
may select
place to hold
Supr. & Infr.
Court in
Glynn Co.

SEC. Repeals conflicting laws.

Assented to Dec. 14, 1863.

Superior and Inferior Courts in the counties of Miller, Stewart, Pike and McIntosh.

(No. 35.)

An Act to alter and change the time of holding the Inferior Courts of Miller and Stewart counties.

5. SECTION I. *Be it enacted by the General Assembly of Georgia,* That the time of holding the Inferior Courts of Miller county, be so changed, as to hold the Courts on the first Mondays in June and December, in each and in every year.

Infr. Court of
Miller county
when held.

6. SEC. II. *Be it further enacted,* That the time of holding the Inferior Courts in the county of Stewart be changed from the first Mondays in February and June, to the third Mondays in January and July.

Infr. Court of
Stewart Co.
when held.

SEC. III. Repeals conflicting laws.

Assented to Dec. 7, 1863.

(No. 36.)

An Act to change the time of holding the Inferior Courts of the county of Pike.

7. SECTION I. *The General Assembly of Georgia do enact,* That from and after the passage of this Act, the time of holding the Inferior Court of Pike county shall be changed from the first Mondays in June and December, to the first Mondays in January and July.

Time changed
for holding
Infr. Courts
of Pike Co.

8. SEC. II. *Be it further enacted,* That all suitors, witnesses and parties interested in the proceedings of said Court, shall be bound to appear at said terms of January and July, and on failure, shall be subject to the same liabilities and penalties, as though they had failed to appear at the terms of June and December.

Business
transferred.

SEC. III. Repeals conflicting laws.

Assented to Dec. 5, 1863.

(No. 37.)

An Act to alter and change the place of holding the Superior and Inferior Courts for the county of McIntosh.

Whereas, the Court-house of said county has been burned by the public enemy at Darien, as well as the entire city of Darien.

9. SECTION I. *Be it enacted, &c.,* That from and after the passage of this Act, the Superior and Inferior Courts of the county of McIntosh shall be held at Ebenezer Church, near the residence of W. H. McDonald in said county, or at such other place as the Inferior Court shall ordain and direct.

Supr. & Infr.
Courts of Mc-
Intosh county
where held.

SEC. II. Repeals conflicting laws.

Assented to Nov. 23, 1863.

(No. 38.)

An Act to repeal an Act entitled an Act to authorize the Clerks of the Superior and Inferior Courts and Ordinary of Charlton county to keep their offices at their residences, if within six miles of the Court-house.

10. SECTION I. *The General Assembly of Georgia do enact.* That the above recited Act, be, and the same is hereby repealed, and that said offices be hereafter kept at the Court-house.

Clerks of Sup. and Inf. Cts. and Ordinary of Charlton Co. must keep their offices at Court-house.

SEC. II. Repeals conflicting laws.

Assented to Dec. 11, 1863.

(No. 39.)

An Act to carry into effect so much of the second section of the fourth article of the Constitution as relates to divorces.

11. SECTION I. *The General Assembly of Georgia do enact.* That when a libel for divorce is instituted, the respondent may in his plea and answer recriminate, and ask a divorce in his or her favor, and if on the trial, the jury believe such party is entitled to divorce instead of the libellant, they may so find upon legal proof, so as to avoid the necessity of a cross action; if one verdict is found in favor of the respondent, the libellant cannot dismiss his or her suit, without the consent of the opposite party.*

Respondent in divorce cases may recriminate, & Jury must grant divorce according to proof.

SEC. II. Repeals conflicting laws.

Assented to Dec. 3, 1863.

*See Constitution of State Sec. 4974 of Code.

(No. 40.)

An Act to Amend the Habeas Corpus laws of this State.

12. SECTION I. *The General Assembly of the State of Georgia do enact.* That when any person shall apply for a writ of Habeas Corpus to any Judge of the Superior, or Justice of the Inferior Courts, whose duty it is to grant said writ, such Judge or Justice, so refusing to grant the same, shall forfeit to the party aggrieved, the sum of twenty-five hundred dollars, to be recovered in any Court of law in this State having jurisdiction of the same.

Forfeiture for refusing to grant writ of Habeas Corpus.

SEC. II. Repeals conflicting laws.

Assented to Dec. 14, 1863.

(No. 41.)

An Act to legalise all marriages, between first cousins, which have been contracted since January 1st, 1863.

13. SECTION I. *Be it enacted.* That all first cousins, who have heretofore intermarried since the 1st day of January 1863, are hereby relieved from any penalties they may have incurred under,

Marriages between first cousins since 1st Jan. 1863, legalized.

the laws of this State, and that all such marriages are hereby declared to be legal.

SEC. II. Repeals conflicting laws.

Assented to Dec. 11, 1863.

Changes in Code of Ga. by amendment and repeal*

(No. 42.)

An Act to repeal section 4459 of the Revised Code of Georgia, and to substitute another in lieu thereof.

Sec. 4459 of
Code repealed

14. SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, section 4459 of the revised Code of Georgia be, and the same is hereby repealed.

Forestalling,
regrating and
engrossing in-
dictable.

Penalty.

Judges shall
give this Act
in special
charge.

15. SEC. II. *Be it further enacted*, That the common law be revived and declared of full force and effect, as if said section of the Code had not been adopted, and that any person or persons charged with the offences known to the common law as forestalling, regrating or engrossing, may be indicted in any Superior or Corporation Court having jurisdiction thereof, and who may be found guilty, shall be punished by fine not exceeding the value of the goods so forestalled, regrated or engrossed, and punished in the common jail not exceeding six months. It is hereby made the duty of the Judges of the above named Courts to give this section in special charge to their respective Grand Jurors at the opening of the several terms thereof. †

SEC. III. Repeals conflicting laws.

Assented to Dec. 5, 1863.

*Changes in the Code have been inserted under the title of "Judiciary," as several of the Acts belong under that head, and all are of public importance. It was deemed advisable that all the Acts of this class should be compiled together. COMPILED.

†Sec. 4459 of Code abolished the offences of forestalling, regrating and engrossing. This Act reinstates and makes them indictable.

(No. 43.)

An Act to amend the 1855th paragraph of the Revised Code of Georgia.

Penalty for
violating pro-
visions of Sec.
1855 of Code.

16. SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, if any person shall violate the provisions of the one thousand eight hundred and fifty-fifth (1855) paragraph of the revised Code of Georgia, he, she, or they shall be punished by fine, at the discretion of the Court. *

SEC. II. Repeals conflicting laws.

Assented to Dec. 12, 1863.

*Sec. 1855 of Code provides, that each owner shall keep his slaves on his own premises, or within his control. Shall not permit them to labor or transact business for themselves, except on holidays, or on his own premises. Nor to rent any house, room, store or land on their own account.

(No. 44.)

An Act to amend section 611th of the Code of Georgia.

17. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, the following words to-wit: "provided the public road overseer, in charge of them respectively, are paid one dollar per day for each hand so liable," in section six hundred and eleventh (611) of the Code of Georgia, be altered, so as to read as follows to wit: "provided the public road overseer, having charge of them respectively, are paid two dollars and fifty cents, per day, for each hand so liable."*

Sec. 611 of
Code amended.

SEC. II. Repeals all conflicting laws.

Assented to Dec. 5, 1863.

*Sec. 611 of Code provided, that laborers on any line of incorporated Rail Roads, liable to road duty, could be relieved by paying to overseer one dollar per hand for each day: This Act raises amount to be paid, to \$2.50 per pay, to be expended in procuring other hands.

(No. 45.)

An Act to amend the 2480th section of the revised Code of Georgia.

18. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, the first clause of the two thousand four hundred and eightieth (2480) section of the revised Code of Georgia be amended, by inserting the words "real estate and" between the words "the" and "personal," thereby making said clause read, "all the real estate and personal property."*

Amends 1st
clause of Sec.
2480 of Code.

SEC. II. Repeals conflicting laws.

Approved Dec. 12, 1863.

*The first clause of section amended, required Administrators to make an inventory and appraisement of personal property only. This Act adds the real estate of deceased, putting real and personal on same footing.

(No. 46.)

An Act, to repeal that portion of the two thousand two hundred and eighty seventh section of the Code of Georgia, as prohibits the creation of trusts for male persons of sane mind.

19. SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, that portion of the two thousand two hundred and eighty-seventh (2287) section of the Code of Georgia, as prohibits the creation of trusts, express or implied, in any property, for any male person of sane mind, be, and the same is hereby repealed.

Repeals so
much of Code
as prohibits
creation of
trusts for male
persons of
sane mind.

SEC. II. Repeals conflicting laws.

Assented to Dec. 14, 1863.

(No. 47.)

An Act to repeal paragraph 1658, of part second, title second, chapter first, article first, section first of the revised Code of Georgia, and to legalize marriages in violation of the same.

Whereas, by the above cited paragraph of the revised Code of Georgia, all marriages, not solemnized in conformity with the other provisions of said Code, are declared to be invalid; and whereas said innovation upon the law, as it stood before the adoption of said revised Code, will have the effect of giving rise to perplexing questions of legitimacy of children, and rights of property; and to domestic unhappiness. Therefore.

Preamble.

Paragraph
1658 of Code
repealed.

20. SECTION I. *The General Assembly of the State of Georgia do enact, That from and after the passage of this Act, paragraph 1658 of part second, title second, chapter first, article first, section first of the revised Code of Georgia be repealed.*

Legalize mar-
riages not sol-
emnized ac-
cordingly.

21. SEC. II. *And be it further enacted, That all marriages heretofore solemnized, not in conformity with the provisions of said before recited paragraph, shall be valid. Provided, nothing in the Act shall excuse any Ordinary, Judge, Justice or Minister of this Gospel, for any non performance of duty as required in said paragraph 1658, of said part, title, chapter and section of said Code.**

SEC. III. Repeals conflicting laws.

Assented to Dec. 14, 1863.

*Paragraph 1658 of Code, hereby repealed, provides for obtaining licence, and publication of the banns of marriage in a neighboring church, in the presence of the congregation, for at least three Sabbath days prior to its solemnization. The repeal of this section of the Code does not dispense with license, as would seem by the repeal of the whole section, as other sections provide for license, and it was manifestly designed to repeal only the part referring to publication of banns.

(No. 48.)

An Act to repeal the third and twelfth sections of the Code of Georgia, relative to the construction of statutes.

3d and 12th
Secs. of Code
repealed.

22. SECTION I. *The General Assembly of the State of Georgia do enact, That from and after the passage of this Act, the third and twelfth sections of the Code of Georgia be, and the same are hereby repealed.**

SEC. II. Repeals conflicting laws.

Assented to Dec. 14, 1863,

*The third section of the Code, repealed by the foregoing Act, provided that all Acts passed by the General Assembly, unless otherwise declared in such Acts, should take effect from the first day of July next succeeding their passage.

The twelfth section, also hereby repealed, provided that the repeal of a repealing Act shall not be construed to revive the former Act, unless such appears to have been manifestly the intention of the General Assembly.

(No. 49.)

An Act, to repeal so much of the 2509th, 2510th, 2512th and 3618th sections of the Code of Georgia, as requires three months' notice to be given in a public Gazette of an application for titles upon bonds of deceased persons, and to provide for the trial of such cases, when objections are filed, and to provide for the payment of costs in such cases.

23. SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, so much of the 2509, 2510, 2512, and 3618, sections of the Code of Georgia, as requires notice to be given to all persons concerned, by publication in a Gazette, of application for an order requiring titles to be made by the legal representatives of a deceased person, be, and the same is hereby repealed. Notice in gazette repealed

24. SEC. II. *Be it further enacted*, That fifteen days' notice in writing to the Administrator or Executor, and heirs at law of the deceased, if to be found in this State; and if non-residents, by publication in one of the Gazettes of this State for 30 days, shall be deemed sufficient notice to authorize the granting of an order for the execution of titles, when no objection is filed by the legal representative of said estate, or heir at law. Kind of notice prescribed.

25. SEC. III. *Be it further enacted*, That when objections in writing are filed in the office of said Ordinary, it shall be the duty of the Ordinary to hear evidence, as to the fact, whether the condition of said bond has been complied with by the payment of the purchase money or not, and to grant an order requiring said titles to be made or not, as he may think the principles of justice may require; and either party being dissatisfied with the decision, may appeal to the Superior Court upon the same terms as appeals are granted in other cases. Caveat, how tried.

26. SEC. IV. *Be it further enacted*, That whenever the party making said bond shall have died before the time at which said titles were to be made, and before the purchase money became due, the cost of said proceeding shall be paid by the representative of said estate; but if the time for making said titles and the payment of said money elapse before the death of the obligor, then the costs shall be paid by the applicant. Appeal to Supr Court allowed.

SECTION V. Repeals conflicting laws.

Assented to Dec. 14, 1863.

(No. 50.)

An Act to amend the seven hundred and eighty-sixth section of the Code of Georgia relative to taxing Defaulters.

27. SECTION I. *The General Assembly of this State do enact*, That the seven hundred and eighty-sixth (786) section of the Code of Georgia, be so amended as to provide, That if any person shall

Changes in the Code of Georgia.

Tax default-
ers double
taxed first
year, fourfold
second year,
&c.

fail to make a return of taxable property, in whole or in part, under the tax acts in force in this State, such person so in default, shall be double taxed, for the first years default, for the second years default four fold, and increasing in the same ratio each year, until a return is made.*

SEC. II. Repeals conflicting laws.

Assented to Dec. 7th, 1863.

*The Section amended provided only double taxation on Receivers' assessment.

(No. 51.)

An Act to repeal the six hundred and thirty third section of the Code of Georgia, relative to road commissioners.

Repeals 633
Sec. of Code.

23. SECTION I. *The General Assembly of the State of Georgia do enact*, That the six hundred and thirty-third (633) section of the Code of Georgia be, and the same is hereby repealed, any law, custom or usage to the contrary notwithstanding.*

Assented to Nov. 28, 1863.

*The section repealed, exempted Road Commissioners while in office from all Jury, patrol, militia and other road duty, and for two years afterwards, if they had served faithfully.

(No. 52.)

An Act to amend the 1630th section of the revised Code of Georgia, and for other purposes.

Sec. 1630 of
Code amend-
ed as to pro-
curement of
charters for
manufactur-
ing corpora-
tions.

29. SECTION I. *The General Assembly of the State of Georgia do enact*, That that portion of the second paragraph which follows the word "location" shall be stricken out, and the remainder of said paragraph shall be as follows: The Clerk of said Court shall place before the Judge of the Superior Court of the county, at the next term after the expiration of said advertisement, a copy of said declaration, and affidavit, and certificate of publication; and if the Court be satisfied that the application is legitimately within the purview and intention of this Code, it shall pass an order declaring the said application granted, and a certified copy of said declaration, affidavit, certificate of publication and order, shall be held and received as evidence of the charter of said corporation in any Court in this State.

Proceedings.

As to cases
pending.

30. SEC. II. *Be it further enacted*, That in any cases in which parties have made efforts to obtain a charter under said section of the Code, that they be allowed to have such declaration, affidavit and certificate filed, and such order taken at the next term of the Superior Court of their respective counties, succeeding the passage of this Act.

31. SEC. III. *Be it further enacted*, That this Act shall go into operation from the day of its passage.

SEC. IV. Repeals conflicting laws.

Assented to Dec. 5, 1863.

TITLE XII.

MILITIA.

- Sec. 1. Each Senatorial District, a Military District Aid-de-Camp for each. Enrollment of residents. Who liable, and how conducted
- " 2. Assistants may be employed. Their compensation and liability.
- " 3. How many lists made out, and where filed. Aids to recommend consolidation or division of Militia Districts.
- " 4. Governor to arrange Companies into regiments or battalions, of two classes. Proviso.
- " 5. Organization of regiments, battalions and companies.
- " 6. Governor to order elections, and issue commissions. Failure to elect provided for. State Guard may vote where stationed.
- " 7. Officers holding commissions under present law, suspended, when new officers commissioned.
- " 8. Duties of Aid-de-Camp. Compensation. How removable.
- " 9. Aids to make quarterly reports to Adj't Gen'l.
- " 10. Militia proper. Militia reserve. Order of service.
- " 11. Governor may call out Militia in certain events. Compensation for active service.
- " 12. Brigades and Divisions, how organized.
- " 13. On requisition by President, Gov. may make apportionment. Draft, how conducted, and order of liability. Local service.
- " 14. Penalty for disobeying summons to service.
- " 15. Surgeon for each District. Duties and compensation. How removable.
- " 16. Exemptions and discharges, how granted.
- " 17. Volunteering in Confed. service allowed.
- " 18. Details, how granted.
- " 19. Guns, horses, bridles and saddles, to be reported. Arms furnished to be returned.
- " 20. Staff-Officers. Governor may appoint additional Aids.
- " 21. Exempts from enrollment.
- " 22. Governor to prescribe drills, &c. Proceedings against delinquents.
- " 23. Code where repugnant suspended for the war.
- " 24. Liability of Conscripts.
- " 25. Of force immediately.
- " 26. Rank of Adj't Gen'l changed to Major General.

(No. 53.)

An Act to re-organize the Militia of the State of Georgia, and for other purposes.

1. SECTION I. *Be it enacted, &c.*, That each Senatorial District in this State shall constitute a separate Military District, and it shall be the duty of the Governor, as soon as practicable after the passage of this act, to appoint an Aid-de-Camp with the rank of Colonel, in each district, who shall be charged with the duties herein-after set forth.

Each Senatorial District a Military District, Aid de Camp for each

2. SEC. II. *Be it further enacted*, That within four days after being notified of his appointment, it shall be the duty of each Aid-de-Camp to commence the enrollment of all free white males resident in his District, who are or shall be of the age of sixteen years, and not over sixty years, and also, those who shall from time to time arrive at the age of sixteen years, or who may come to reside within the District, except those who shall actually be in the Army or Navy of the Confederate States, or in the State service. The enrollment shall be by Company Districts, and shall show the age, occupation and nativity of each person enrolled, the number of the Company District in which he may reside, and if any exemption is claimed, the ground of it.

Enrollment of residents. Who liable, and how conducted.

Assistants
may be em-
ployed.

Their com-
pensation and
liability.

How many
lists made out
and where
filed.

Aids to re-
commend
consolidation
or division of
militia dists.

Governor to
arrange Co.'s
into regi-
ments, and
battalions of
two classes.

Proviso.

Organization
of reg'ts bat-
tallions and
companies.

Gov. to order
elections and
issue commis-
sions.

For the purpose of facilitating the enrollment, the Aids-de-Camp shall be authorized to employ, with the approval of the Governor, three or more assistants for each county, who shall receive for their services, compensation, at the rate of fifty cents for each person enrolled by them; but they shall not be exempt from service under this act, in consequence of their being such assistants. For a failure faithfully to discharge their duty, the Assistant Enrolling officers shall be liable to removal by the Governor, and if without sufficient excuse to be judged of by the Governor, shall be liable further to forfeiture of all compensation.

3. SEC. III. *And be it further enacted*, That it shall be the duty of the Aid-de-Camp, within ten days after the enrollment has been completed in his district, to forward complete lists, in duplicate, of the enrollment in each county of his district, to the Adjutant and Inspector General, and to file with the Clerk of the Superior Court, in each county, a copy of the enrollment in his county; and the Aid shall be empowered and required, when there are but few persons enrolled in a particular company district, to incorporate and consolidate, subject to the approval of the Governor, two or more adjoining company districts into one, reporting the consolidation made, and the numbers of the company districts so combined, and in cities to divide districts.

4. SEC. IV. *Be it further enacted*, That the Governor be authorized, on receiving the reports of the new company districts provided for in section third, to arrange said companies into Regiments or Battalions, defining their limits without regard to county lines, and if need be, for the purpose of effective organization, without regard to Senatorial Districts, *Provided*, that no Regimental district shall contain more than one thousand, or less than five hundred men, arranged in ten companies; that no Battalion district of the first class shall contain more than six hundred, or less than four hundred men, arranged in not more than nine, nor less than six companies; that no Battalion district of the second class shall contain more than four hundred, nor less than two hundred men, arranged in not more than five, nor less than two companies; and that no company district shall contain more than one hundred, nor less than sixty-four men.

5. SEC. V. *Be it further enacted*, That to each Regiment there shall be allowed one Colonel, one Lieut. Colonel, and one Major; to each Battalion of the first class one Lieutenant Colonel and one Major; to each Battalion of the second class one Major; and to each Company one Captain, four Lieut's, five Sergeants, and four Corporals; and that each Company shall be divided into two platoons, each platoon into two squads, and that there shall be, for the purpose of drill and discipline, one Lieutenant, one Sergeant and one Corporal to each squad.

6. SEC. VI. *Be it further enacted*, That so soon as the arrangement of Regiments and Battalions and Companies shall be completed in each or any of the Senatorial Districts, the Governor shall be required within ten days thereafter, to order elections for officers

to command said Regiments, Battalions and Companies in the same manner now prescribed in the Military Code of Georgia, and shall issue commissions on the election returns as therein also directed, under the Seal of the Exec'e Department; and that in the event of a failure or neglect on the part of the people to elect, the Governor shall commission to the vacancy, a fit and proper person, on the recommendation of a majority of the Company officers concerned. The officers thus elected, or appointed and commissioned, to be vested with all the authority usually appertaining to such grades. And all members of the State Guard, who are absent in the service of this State or the Confederate States, shall be permitted to vote at said election for officers at the places where they are stationed, and two commissioned officers shall preside at said elections, and transmit returns thereof, within fifteen days after said election, to the Governor of this State, whose duty it shall be to consolidate said votes as in other cases.

Failure to
elect provided
for.

State Guard
may vote
where sta-
tioned.

7. SEC. VII. *Be it further enacted*, That whenever the Governor shall have been advised by the Aid-de-Camp in any Senatorial District, that the organizations hereinbefore provided for, have been completed in the District, and the officers therein elected, or appointed and commissioned, it shall be his duty, within ten days thereafter, to declare the militia organization theretofore existing in said District, under the Military Code of Georgia, suspended, and the officers under said previous organization, relieved from their command, and said officers shall be subject to all the Military duties imposed by this Act, upon persons of the same age with themselves.

Officers hold-
ing commis-
sions under
present law
suspended
when new
officers com-
missioned.

8. SEC. VIII. *Be it further enacted*, That it shall be the duty of the Aid-de-Camp in each Senatorial District, to supervise and direct, under the orders of the Governor, all military matters within his District. He shall be the channel of communication between the Adjutant and Inspector General and the troops in his District, for the transmission of all orders, instructions, reports and military communications generally; and he shall be entitled to compensation at the rate of seven dollars per day, for the time he may be employed in perfecting the organization herein provided for, and for such time in each quarter, not to exceed ten days, as he may be required to devote to military matters in his District. He shall be removable at the pleasure of the Governor.

Duties of
Aid de Camp.

Compensa-
tion.

How remove-
ble.

9. SEC. IX. *Be it further enacted*, That it shall be the duty of each Lieutenant of a squad to keep a list of all persons enrolled within the limits of his squad beat, and shall notify the Aid-de-Camp of his District, through his Captain, quarterly, of all persons arriving at the age of sixteen, or who shall move into or out of his beat; which notification shall be consolidated by the Aid-de-Camp, and forwarded within ten days after the end of each quarter of the year, to the Adjutant and Inspector General, noting also such other changes in rank, command, &c., that may have occurred during

Aids to make
quarterly re-
ports to Adj't
General.

the quarter. The object being to continue a complete enrollment of the District, and to preserve its military organization.

Militia proper.

Militia reserve.

Order of service.

Gov. may call out militia in certain events.

Compensation for active service.

Brigades and divisions, how organized.

10. SEC. X. *And be it further enacted*, That the persons enrolled under the second section of this Act, shall be divided into two classes. The first shall be composed of those between seventeen and fifty years of age, to be styled the Militia Proper, who shall be first liable and subject to perform all the military duties contemplated by this Act. The second class shall be composed of those between sixteen and seventeen years of age, and between fifty and sixty years of age, and be styled the Militia Reserve; who shall organize with the Militia proper, but shall not be required to drill or perform any of the military duties contemplated by this Act, until the Militia proper shall have been called into active service, nor be subject or liable to any draft or other compulsory process to fill any requisition for troops, upon the Governor of this State, by the President of the Confederate States. When the Militia proper shall be called into active service, the Lieutenant of each Company most advanced in age, shall be left with, and in command of the Militia Reserve of their respective Companies. Any if any person belonging to the Militia Reserve, shall at any time be elected to, and shall accept any office under this Act, he shall be required to perform all the duties of the office without reference to the class to which he may have belonged.

11. SEC. XI. *And be it further enacted*, That whenever in the opinion of the Governor, it shall be necessary either to repel invasion, suppress insurrection, or to execute the laws, to call the State Militia, or any part thereof, into active military service, he is hereby authorized and empowered to do so; but the Militia Reserve created by this Act, shall be called into active military service only after the Militia proper has been called out, in great emergencies, to meet which the Militia proper are deemed insufficient, and shall be discharged from such active service as soon as the emergency to meet which they are called out, shall have passed; and whenever the Militia or any part thereof, shall be called into active military service, they shall receive the same pay and allowances as if they were in the service of the Confederate States, and shall be subject to the rules and articles of war, and the regulations for the government of the armies of the Confederate States.

12. SEC. XII. *Be it further enacted*, That whenever the militia shall be called into active service by the Governor, Brigades and Divisions may be organized for the period of active service, in such manner as the Governor may direct; the officers and men composing the Brigades and Divisions in all cases electing their Brigade and Division commanders; provided that the offices of Brigadier and Division General shall expire when disbanded, and the individuals holding them shall return to service according to their ages, as provided for in this act.

13. SEC. XIII. *And be it further enacted*, That whenever a requisition for troops for local defence in this State shall be made by

Act Reorganizing the Militia of Georgia.

the President of the Confederate States upon the Governor of this State, the Governor shall be empowered and authorized to fill the requisition by apportioning the number required among the different regiments, battallions or companies of the militia proper, provided for by this act; and when the apportionment is made, the Governor may order the number apportioned, detached, drafted or selected in such other manner as he may deem advisable, and may require the Aids de Camp for the Senatorial Districts to superintend the draft, or to execute such orders as may be necessary to accomplish the object; *Provided*, that unmarried men, bachelors, or widowers without children, shall be subject to draft before married men or widowers who have children; *and provided further*, that the men drafted or selected shall be formed into companies, battalions or regiments, as the Governor may direct, and shall be permitted to elect the officers to command them while in service; and in case of neglect or refusal to elect when ordered, that the Governor may appoint the officers and compel them to organize, or he may appoint officers to fill vacancies, if the men to be commanded fail or refuse to elect; *and provided further*, that in case of requisition for troops for local service in a particular part of the State, the Governor may fill it by ordering the number of troops called for to be made up from such regiments, battalions or companies as he may select, in the section of the State, where the service is required.

On requisition by President, Governor may make apportionment.

Draft how conducted, and order of liability.

Local service.

14. SEC. XIV. *And be it further enacted*, That any militiaman ordered into active service, whether by order of the Governor, or on a requisition from the President of the Confederate States, who shall fail or refuse after due notice to enter said service, or being therein, shall leave the service without permission, shall be liable to be tried and punished as a deserter, and subject to all the pains and penalties imposed upon deserters in the Rules and Articles of War for the government of the army of the Confederate States.

Penalty for refusing to enter service on due notice.

15. SEC. XV. *Be it further enacted*, That there shall be appointed by the Governor one Surgeon for each Senatorial District, whose duty it shall be to examine all persons who claim to be unable to bear arms, and shall give certificates to such as, in his judgment, are unable to bear arms, clearly stating therein the causes of such disability. Said Surgeons shall be sworn to discharge his duties faithfully and impartially, and shall receive compensation at the rate of five dollars per day for every day he shall be employed under the orders of the Governor, and who shall be removable by the Governor for neglect or failure in the discharge of his duties.

Surgeons for each Dist.

Duties and compensation.

How removable.

18. SEC. XVI. *And be it further enacted*, That exemptions from, and discharges after enrollment, before organization under this Act, may be granted by the Aids-de-Camp of the Senatorial Districts, on the certificate of the District Surgeons; and discharges from service after organization under this Act, may be granted by said Aids-de-Camp on the certificate of the battalion or regimental surgeons, approved by the company, and battalion, or regimental commanders.

Exemptions and discharges, how granted.

Volunteering
in Con. ser-
vice allowed.

17. SEC. XVII. *And be it further enacted*, That any person made subject to service under this Act, may volunteer in the military or naval service of the Confederate States, or in any company authorized by the acts of Congress of the Confederate States, providing for local defense and special service, but shall again be subject to State service, when his term of service as a volunteer shall have expired.

Details, how
granted.

18. SEC. XVIII. *And be it further enacted*, That any person subject to service under this act, who is in the employ of the government of the Confederate States, or has a contract with said government, or is employed on any railroad, may be detailed for special duty, upon the request of the Secretary of War, addressed to the Governor, naming the employee or contractor, and the length of time for which such detail is requested; *provided*, that nothing herein contained shall be so construed as authorizing the detail for special duty of any common-laborer or other persons in the employment of railroads, manufactories, &c., unless the President or Superintendent of the road, manufactory, or other labor, shall make application to the Governor, through the Aid-de-Camp of his Senatorial District, on affidavit, that such persons are indispensable to said road or work, and their places cannot be filled by other persons not liable to military duty.

Guns, horses,
bridles and
saddles to be
reported.

19. SEC. XIX. *Be it further enacted*, That in making the enrollment provided for by this act, the enrolling officers shall report by name, all persons having efficient guns, describing the gun, whether rifle, musket, or shot-gun, and those who have not; also such persons who can furnish their own horses, saddles and bridles, and serve as mounted men; and that the Governor be authorized, whenever in his power to do so, to furnish arms and ammunition to the force herein created, as in his judgment he may deem advisable, upon the requisition and receipt, in duplicate, of the commanders of regiments, battalions or companies, who shall be held accountable for the same, and who shall make returns of the same quarterly to the Adjutant and Inspector General, through the Aid-de-Camp of their Senatorial district, and who shall, for his own security, be entitled to make demand for any gun furnished by him to any person; and any person failing to return said gun to the officer accountable for it, on his demand, or who shall injure or damage any gun or ammunition entrusted to his care, shall be guilty of a misdemeanor, and on conviction thereof in any county in this State, shall be fined or imprisoned, at the discretion of the Court trying the case.

Arms furnish-
ed, to be re-
turned.

Staff officers.

20. SEC. XX. *Be it further enacted*, That the commanders of regiments, battalions, brigades and divisions shall be entitled to appoint such staff officers as are allowed to similar grades in the Confederate service; and to secure the efficient operation of this Act, that the Governor be entitled to appoint from time to time such staff officers and additional Aids-de Camp, as he may think necessary.

Governor
may appoint
additional
aids.

21. SEC. XXI. *And be it further enacted*, That the officers of the Executive Department, members of the General Assembly, Secretary of the Senate, and four principal assistants, Clerk of the House of Representatives and six principal Clerks, and the Clerk of the joint Committee of both houses on Finance, and the Clerk of Military Committee of the Senate, Judges of the Supreme and Superior Courts and Justices of the Inferior Courts, Attorney and Solicitors General, Reporter and Clerk of the Supreme Court, Clerks of the Superior and Inferior Courts, Tax Collectors, Sheriffs, Ordinaries, Ministers of Religion in the actual care and charge of any organized Church or Synagogue, and such other persons as the Governor in his discretion may deem it absolutely necessary for the public interest to exempt, shall be exempt from the provisions of this Act.

Exempts from
enrollment.

22. SEC. XXII. *And be it further enacted*, That the Governor be authorized to prescribe the number, and kind of drills, and military exercises to be performed by the militia proper, created by this Act, when not actively engaged in the field, and that for a failure to attend as required on the part of either officers or men, it shall be the duty of the Aid-de-Camp of each district to whom reports of delinquencies shall be made, within three days after any called drill or exercise by the senior officer or non-commissioned officer present at the drill or exercise, to issue a writ of *fieri facias*, directed to any Sheriff or Constable within his district, to collect out of the property of any delinquent, who shall not furnish a satisfactory excuse, within one week after being reported, a sum not less than three dollars, nor more than fifty dollars, at the discretion of said Aid-de-Camp, which sum shall be turned over by said Aid-de-Camp on receipt therefor, to the Justices of the Inferior Court of the county in which the delinquent may reside, to be applied to the benefit of soldiers' families within said county.

Gov. to pre-
scribe drills,
&c.

Proceeding
against delin-
quents.

23. SEC. XXIII. *And be it further enacted*, That so much of the military code of the State of Georgia as is inconsistent with the provisions of this Act, shall be, and the same is hereby suspended, so long as this Act shall be in force; and this Act shall become inoperative and void upon the ratification of a treaty of peace between the United States and Confederate States.

Code, where
repugnant,
suspended for
the war.

24. SEC. XXIV. *And be it further enacted*, That no person shall be enrolled under this Act who is subject to conscription under the Consript Act or Acts of the Confederate Congress; if the State Enrolling officer has doubt whether any person within his limits is subject to enrollment as a conscript, he shall report the fact to the Confederate enrolling officer of the Congressional district, and if said Confederate officer does not cause such person to be enrolled within twenty days after such notice is given, the State Enrolling officer shall enrol him under this Act, or if he is found to be exempt after he is enrolled by the Confederate officer, he shall then be subject to enrollment by the State officer under this Act.

Liability of
conscripts.

Rank of Adjutant and Inspector General—Oaths of Notaries Public.

Of force immediately.

25. SEC. XXV. *And be it further enacted*, That this Act shall take effect and be operative and in force from and immediately after its passage.

SEC. XXVI. Repeals conflicting laws.

Assented to Dec. 14, 1863.

(No. 54.)

An Act to change the rank of the Adjutant and Inspector General of this State, and for other purposes.

Rank of Adj't Gen'l changed to Major General.

26. SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, the rank of the Adjutant and Inspector General of this State, shall be that of a Major General.

SEC. II. Repeals conflicting laws.

Assented to Dec. 14, 1863.

TITLE XIII.

OATHS.

Sec. 1. Oath of Notaries Public.

" 2. Authorized to administer oaths generally.

" 3. Seal not required. Former attestations without seal legalised.

" 4. Oath of non resident tax payers amended. Oath of tax-payers on general return amended.

Sec. 5. On refusal to take oath shall be double

taxed.

" 6. Indebtedness due, to be returned on Confederate valuation.

" 7. Tax payers may amend returns.

" 8. Additional oath of tax payers.

(No. 55.)

An Act to define the oaths of Notaries Public in the State of Georgia and for other purposes.

WHEREAS, doubts exist in regard to the proper oaths to be administered to Notaries Public of this State; for remedy whereof;

1. SECTION I. *Be it enacted*, &c., That from and after the passage of this Act, the only oath or affirmation to be administered to Notaries Public of the State of Georgia, shall be, as follows;

I do solemnly swear or affirm, that I will well and truly perform the duties of a Notary Public for the county of _____ to the best of my ability, and I further swear or affirm that I am not the holder of any public money, belonging to the State, unaccounted for, so help me God.

Oath of Notaries Public.

Oath of Tax-payers.

2. SEC. II. *And be it further enacted by the authority aforesaid, That* Notaries Public shall be authorized to administer all oaths, which are not by law required to be administered by particular officers. Authorized to administer oaths generally.

3. SEC. III. AND WHEREAS, doubts exist, whether under the Statute, the seal of a Notary Public is necessary to his attestation to deeds, Be it therefore enacted, That no such seal shall be required to such attestation, and that all such attestations heretofore made without a seal, shall be valid and binding in law. Seal not required. Legalizes former attestations without seal.

SEC. IV. Repeals conflicting laws.

Assented to Dec. 1, 1863.

(No. 56.)

An Act to amend the oath of Tax payers for the year 1864; and for other purposes.

4. SECTION I. *The General Assembly of the State of Georgia do enact,* That from and after the passage of this Act, the oath of non-resident Tax payers, required to be taken on special return as it now stands in the seven hundred and sixty-fourth (764) section of the Code of Georgia, be so amended for the year 1864, as to make it read; "And that it was not worth on the first of April in this year, more than the valuation you have affixed to it, in Confederate Treasury notes, to the best of your knowledge and belief," instead of reading as it now does, "and that it is not worth more than the valuation you have affixed to it, to the best of your knowledge and belief"; and that the oath of Tax payers required to be taken on general return, as is now required in the same section of said Code, be changed, so as to make it read; "and the value you have affixed is a just and true valuation on the first day of April of this year in Confederate Treasury notes," instead of reading, "and that the value you have affixed to it is a just and true valuation," as it now stands stated in said Code. Oath of non-resident tax-payers amended. Oath of tax-payer on general return amended.

5. SEC. II. *Be it further enacted,* That in case any Tax payer shall fail or refuse to make his return in accordance with this amended oath, he shall be deemed a defaulter, and his property shall be double-taxed according to the valuation prescribed in the foregoing section of this Act. On failure or refusal to take oath, shall be double taxed, &c.

6. SEC. III. *And be it further enacted,* That all persons holding notes or indebtedness on any individual or incorporation, shall give in the same, at its value in Confederate Treasury notes. Indebtedness due, to be returned in Confed. valuation.

7. SEC. IV. *And be it further enacted,* That if any of the tax payers of this State, shall have made a return of their property to the Receiver and Collector, previous to the passage of this Act, it shall be the duty of the said Collector and Receiver, to require of said tax payers that they make another return to him, upon valuation, as provided for in this Act. Tax-payers may amend returns.

SEC. V. Repeals conflicting laws.

Assented to Dec. 2, 1863.

(No. 57.)

*An Act to alter and change the oath of tax payers in this State.*Additional
oath of tax-
payers.

S. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, in addition to the oath now required of all Tax payers of the State, they shall be required to state under oath, whether or not, they have refused to take Confederate treasury notes in satisfaction of any or all claims due them.

SEC. II. Repeals conflicting laws.

Assented to Dec. 14, 1863.

TITLE XIV.

PAUPERS.

Sec. I. Inferior Court to pay for burial of paupers. How restricted.

(No. 58.)

*An Act to provide for the burial of Paupers in this State.*Inf. Court to
pay for burial
of paupers.How restrict-
ed.

1. SECTION. I. *Be it enacted, &c.*, That whenever any free white person shall die in this State, whose family and immediate kindred are indigent, and unable to provide for the decent interment of such deceased person, and where the deceased is a pauper, and destitute of the means of paying for a decent interment, the Justices of the Inferior Court of the County where said death shall occur, are authorized, and it is hereby made their duty, in case there be any Pauper funds belonging to the county unexpended, to appropriate a sufficient amount thereof to provide a decent interment, for such deceased Pauper; or to re-imburse such persons as may have expended the same voluntarily after the passage of this Act, said appropriation not to exceed what is necessary to defray the ordinary funeral expenses of persons dying in humble circumstances in this State.

SEC. II. Repeals conflicting laws.

Assented to Dec. 14, 1863.

TITLE XV.

PENAL CODE.

- Sec. 1. Communications with the enemy made penal. Penalty. Proviso.
- " 2. Slaves or free persons of color giving information to enemy. How punished.
- " 3. Slaves going over to enemy. Penalty. Proviso.
- " 4. Slaves or free persons of color enticing slaves from owner. Penalty.
- " 5. Illegal impressments penal offence. Persons impressing without authority. Penitentiary offences.
- " 6. Parties impressed may demand written authority of Agents, who shall furnish copies.
- " 7. Takes effect immediately.
- " 8. Concealing deserters. penal offence. Penalty.
- " 9. Assisting deserters to resist legal arrest penal. Penalty.
- " 10. Grand Juries to be specially charged.
- " 11. Proclamation by Governor.
- " 12. Remedy for intrusions or trespasses on Camp Grounds.
- " 13. Sales by white persons, negroes, or free persons of color prohibited within a mile without permission. Penalty.
- " 14. Of force at once.
- " 15. Skinning cows or other stock cattle without consent of owner, indictable, unless value of skins paid for to owner. Penalty.

(No. 59.)

An Act to add certain sections to the Penal Code of Georgia.

1. SECTION I. *Be it enacted, &c.* That from and after the passage of this Act, any white person or persons, who shall, during the continuance of the present war between the Confederate States and the United States, communicate, or have intercourse with the enemy, or shall aid or assist any other white person or persons to hold communication or have intercourse with the enemy, shall upon conviction of the same, suffer the punishment of death, or such other punishment as the Judge of the Superior Court may inflict, or be confined in the Penitentiary for a term of not more than five years, or less than two years, as the jury may recommend in their verdict, *provided*, that the intercourse or communication referred to in the above section, shall not be construed to mean or include any intercourse or communication had with the enemy, by order or permission of the proper civil or military authorities, proof of which permission shall rest upon the defendant; *and provided further*, that this Act shall not extend to any individual whose person or property may, by the accidents of war, be thrown within the lines of the enemy.

2. SEC. II. *Be it further enacted*, That any slave, or free person of color, who shall go to the enemy, with the intention of giving them information of any kind, shall on conviction of the same, suffer such punishment as the Court trying said offence, may in its discretion inflict, not extending to life or limb, or as the jury may recommend by their verdict.

Illegal Impressment of Property.

Slaves going
over to the
enemy.

Penalty.

Proviso.

3. SEC. III. *Be it further enacted*, That any slave who shall leave the service of his owner or employer, and go over to the enemy, or shall leave the service of his owner or employer with the intention of going over to the enemy; or shall attempt to leave the service of his owner or employer for the purpose of going over to the enemy, shall, on conviction of the same, suffer such punishment as the Court trying said offence, may inflict in its discretion, not extending to life or limb, or as the jury may recommend by their verdict; *provided*, that this Act shall not apply to a slave who voluntarily and *bona fide* returns to the service of his or her owner or employer.

Slaves or free
persons of
color enticing
slaves from
owner.

Penalty.

4. SEC. IV. *Be it further enacted*, That any slave or free person of color, who shall, by promises of freedom or liberty, or by any kind of incitement, entice or induce any slave to leave the service of his master, or shall attempt to induce or entice said slave, shall on conviction thereof, suffer the punishment of death, or such other punishment as the jury may recommend in their verdict, and in case of no such recommendation, such punishment as the Judge presiding, in his discretion, may inflict.

SEC. V. Repeals conflicting laws.

Assented to Dec. 5, 1863.

(No. 60.)

An Act to prevent the illegal impressment of property in this State, and to punish for the same.

Illegal im-
pressments,
penal offense.

Persons im-
pressing with-
out authority.

Penitentiary
offences.

Proviso.

5. SECTION I. *The General Assembly of the State of Georgia do enact*, That if any person, claiming to act as the officer or agent of the Confederate States, shall impress the property of any citizen or resident of this State, contrary to the Act of Congress of the Confederate States, commonly called the "Impressment Act;" or if any person shall claim to be an officer or agent of the said Confederate States, with authority to make impressment of property under said impressment act, and who shall not have such authority, and who shall impress the property of any citizen or resident of this State, such person, or officer or agent so offending, shall upon conviction, be punished by confinement and labor in the Penitentiary for a term of not less than one year, nor longer than ten years; *provided*, this Act shall not apply to any officer or agent of the Confederate States, who is in good faith obeying the order of his superior officer, duly authorized by law to give such order.

Parties im-
pressed, may
demand writ-
ten authority
of agent, who
shall furnish
copies.

6. SEC. III. *Be it further enacted*, That if any person or persons, claiming to be the agent or agents of the Confederate government, shall seize or impress, or attempt to seize or impress private property for public use, shall fail or refuse to exhibit his written authority for so doing, and give a true copy of the same to the owner, or other person having charge of said property, upon applica-

To punish persons who assist or conceal deserters—To protect Camp Grounds from intrusion.

tion,—such person so failing or refusing, shall be deemed, held, and considered as having no legal authority; except impressing officers of armies in the field; *provided*, that the failure of the impressing officer to exhibit his authority or furnish a copy thereof, upon demand, shall only operate as *prima facie* evidence of want of authority, and shall not conclude such party from proving his authority upon the trial.

7. SEC. III. *Be it further enacted*, That this Act shall take effect and be operative from and immediately after its passage. Takes effect immediately.

SEC. IV. Repeals conflicting laws.

Assented to Dec. 14, 1863.

(No. 61.)

An Act to punish any person who may hereafter conceal, or assist any deserter in resisting a legal arrest in this State.

8. SECTION I. *The General Assembly of the State of Georgia do enact*, That any person who shall hereafter conceal a deserter from the army or navy of the Confederate States, or from the militia or State forces of this State, while in actual service, knowing him to be a deserter, shall be guilty of a misdemeanor; and on conviction thereof, shall be punished by fine or imprisonment in the common jail of the county, or both, in the discretion of the Court; the fine not to exceed five hundred dollars, nor the imprisonment to exceed six months. Concealing deserters penal offense.
Penalty.

9. SEC. II. *Be it further enacted*, That any person who shall assist any deserter in this State in resisting a legal arrest, knowing him to be a deserter from the army or navy of the Confederate States, or from the militia or State forces of this State, shall be guilty of a misdemeanor, and in conviction thereof, shall be punished by fine or imprisonment in the common jail of the county, or both, in the discretion of the Court, the fine not to exceed two thousand dollars, nor the imprisonment to exceed six months. Assisting deserters to resist legal arrest, penal.
Penalty.

10. SEC. III. *Be it further enacted*, That the attention of Grand Juries shall be specially called to this Act. Grand Juries to be specially charged.

11. SEC. IV. *Be it further enacted*, That this Act shall, immediately after its passage, be proclaimed by the Governor, and shall take effect ten days after such proclamation. Proclamation by Governor.

Assented to Dec. 15, 1863.

(No. 62.)

An Act to protect Camp Grounds from intrusion, and for other purposes.

12. SEC. I. *The General Assembly of the State of Georgia do enact*, That the Trustees, Commissioners and other owners of Camp grounds in this State, shall have the exclusive right to prevent intruders and squatters from occupying any land within the boundaries of said Camp ground, and for instituting proceedings against Remedy for intrusions or trespasses on camp grounds

To define and punish the offense of skinning cows

any such intruders and squatters, in the same manner as is now authorized by law, against intruders and trespassers upon land in this State.

Sales by
white persons
negroes, or
free persons
of color pro-
hibited with-
in a mile,
without per-
mission.

Penalty.

13. SEC. II. *And be it further enacted*, That it shall not be lawful for any person, or any slave or free person of color, to vend or expose to sale, during the period of divine worship, within one mile of the place of worship in said Camp ground, any article, commodity or thing whatever, without the written consent of a majority of said Trustees, commissioners or owners, under penalty, if a white person, of being indicted, and on conviction, fined or imprisoned at the discretion of the Court; and if a slave or free person of color, of receiving such corporeal punishment as the Court may inflict.

Of force at
once.

14. SEC. III. *Be it further enacted*, That this Act shall take effect from and after its passage, and that all conflicting laws be repealed.

Assented to Dec. 14, 1863.

(No. 63.)

An Act to define and punish the offence of skinning cows, or any other kind of stock, cattle, sheep or goats, and refusing to pay for the hides.

Skinning
cows or other
stock cattle,
without con-
sent of own-
er, indictable,
unless value
of skins paid
for to owner.

Penalty.

5. SEC. I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, it shall be unlawful for any person in this State, to skin any dead cow, or any other kind of stock cattle, sheep, or goats, without consent of the owner, agent, or overseer of said stock or stocks of said cattle, that does not belong to him, her, or them, without accounting to the owner or owners thereof for the skin, when thereunto demanded; and in all cases when any person or persons shall have been engaged in skinning any cow, or other kind of stock, cattle, sheep, or goats, and shall refuse upon demand of the owner thereof, or his agent, or overseer, to pay the reasonable value of the skin, he, she or they shall be subject to indictment, and upon conviction, shall be fined for each and every offence in the discretion of the Court, not less than fifty dollars, nor more than five hundred dollars, or imprisoned in the common jail of the county where the conviction takes place, not more than thirty days.

SEC. II. Repeals conflicting laws.

Assented to Dec. 11, 1863.

Amend Charter of Macon & Western Railroad—Overseers and Track Menders to file lists of marks, &c.

TITLE XVI.

RAIL ROADS.

Sec. 1. Macon & Western Rail Road authorized to charge same rates for travel and freight as Central Rail Road, under certain restrictions. Provisions. As to shipment of grain of destitute sections. Fare of soldiers. Power to reduce retained by Legislature.

" 2. Of force from passage.

" 3. OVERSEERS AND TRACK-MENDERS shall file with Station agents weekly returns of stock killed, &c. Lists to be posted in Office of Station agents.

" 4. Liability of Overseer or track-mender for failing to comply.

" 5. Rail Road Co. responsible, if overseer or track-mender insolvent.

(No. 64.)

*An act to amend the Charter of the Macon and Western Rail Road.**

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That from and after the passage of this Act, it shall and may be lawful for the said Macon and Western Rail Road Company, to charge such rates of fare, per mile, for travel and freight, as the Central Rail Road Company now charges, or may hereafter charge, for travel and freight per mile: *Provided*, said Macon and Western Rail Road shall not charge more than fifty per cent, on the rates of travel and freight allowed by the charter of said Rail Road Company: *And provided further*, that this increase of freight shall not apply to shipments of Corn, and other grain and produce for distribution without speculation, in destitute parts of Georgia: *Provided further*, that this increase of fare shall not apply to officers and soldiers in the service of the Confederate States or State of Georgia: *Provided further*, that the right and power to compel said Company to reduce such rates of charge within the limits prescribed by their charter, hereby amended, be, and the same is hereby reserved, to be exercised and put in operation by any subsequent session of the Legislature of this State, if such Legislature shall deem proper.

Macon and Western R. R. authorized to charge same rates for travel and freight as Central R. R. under certain restrictions.

Provisions.

As to shipment of grain to destitute sections.

Fare of soldiers.

Power to reduce retained by Legislature.

2. SEC. II. *Be it further enacted*, That this Act shall take effect from and immediately after its passage.

Of force from passage.

SEC. III. Repeals conflicting laws.

Assented to Dec. 14, 1863.

* For act of Incorporation, see Pam. acts of 1847. P. 181.

(No 65.)

An Act to compel Overseers or Track Menders on the different Rail Roads in this State, to file a list of the marks and brands of all stock killed upon their respective sections, and for other purposes.

3. SECTION I. *Be it enacted, &c.*, That all overseers or track menders on the different Railroads in this State, shall file weekly with the station agents, a list of different marks and brands of all stock killed upon their respective sections the preceding week, so as to

Overseers and track menders shall file with station agents weekly returns of stock killed, brands, where killed, &c.

Lists to be posted in office of station agents.

be compelled to identify in their weekly report, on what part of their section such stock was or may have been killed, by some designated place on said section; said list to be placed in a conspicuous place in the office of the said Station agents, for the inspection of all persons concerned.

Liability of overseer or track mender for failing to comply.

4. SEC. II. *Be it further enacted*, That upon failure of any overseer or track mender to comply with the provisions of the first section of this Act, he shall be liable to pay the owners of said stock double the value of all stock killed on his particular section, and not reported during such failure; the same to be recovered in the same manner as now provided by law for the collection of claims for stock killed on Railroads in this State.

Railroad Co. responsible, if overseer or track mender insolvent.

5. SEC. III. *Be it further enacted*, That in case the overseer or track mender is insolvent, then and in that case the Railroad Company in whose employ they are, shall be liable to pay according to the provisions of the second section of this Act, *Provided*, That in all cases when the penalty shall be collected from the track mender, the liability of the Railroad Company in whose employment he may be, shall thenceforth cease.

SEC. IV. Repeals conflicting laws.

Assented to Nov. 23d, 1863.

TITLE XVII.

RELIEF.

- Sec. 1. The Quar. Master General of Geo. directed to purchase and ship corn to certain counties in the State. To Chattooga county 6,000 bushels, Walker 10,000, Dade 8,000, Catoosa 8,000, Whitfield 10,000, Murray 7,000, Gilmer 8,000, Fannin 8,000, Union 8,000, Towns 4,000, Rabun 3,000, Habersham 4,000, White 3,500, Lumpkin 4,000, Dawson 3,000, Pickens 3,000. Expense paid by Gov's. warrant upon the Treasury.
- Sec. 2. Quar. Master Gen. to employ agents and use transportation for this purpose.
- Sec. 3. Justices of Infr. Courts to arrange for transportation from Railroad. Agents to be appointed to distribute.

Destitute soldiers' families, &c., supplied with corn free of charge. Indigent families also furnished. Other persons enumerated, to be supplied at price of delivery. Money arising from such sales, how disposed of.

- Sec. 4. Persons intentionally misapplying or converting corn, guilty of misdemeanor. Upon conviction, how punished.
- Sec. 5. Disbursing agents to keep a book, under penalties, showing distributees, purchasers, prices, &c. Book open for inspection, and exhibited once a month to Justices of Inferior Court. Agents removable. Proviso.

(No. 66.)

An Act for the relief of the people in certain counties therein mentioned, and for other purposes.

WHEREAS, Owing to the depredations of the enemy, and the presence and necessities of our own army foraging upon the coun-

Relief of the People in certain Counties.

try, and also the extreme drought and early frost, the people of Northern Georgia are in great need of breadstuffs; and *whereas*, nearly the entire laboring population of said section is now in the army, and the people must inevitably suffer unless aided by the generosity of the State,

1. SECTION I. *Be it enacted, &c.*, That the Quartermaster General of this State, be, and he is hereby directed and required to purchase and ship to such points on the Railroad as shall be designated by the Justices of the Inferior Courts of the several counties hereinafter enumerated, and subject to their order, the following amounts of corn, to-wit:

The Quartermaster Genl of Ga. directed to purchase and ship corn to certain counties in the State.

Amount to each county.

6,000 Bushels of corn to the county of Chattooga.

10,000 bushels of corn to the county of Walker.

8,000 bushels of corn to the county of Dade.

8,000 bushels of corn to the county of Catoosa.

10,000 bushels of corn to the county of Whitfield.

7,000 bushels of corn to the county of Murray.

8,000 bushels of corn to the county of Gilmer.

8,000 bushels of corn to the county of Fannin.

8,000 bushels of corn to the county of Union.

4,000 bushels of corn to the county of Towns.

3,000 bushels of corn to the county of Rabun.

4,000 bushels of corn to the county of Habersham.

3,500 bushels of corn to the county of White.

4,000 bushels of corn to the county of Lumpkin.

3,000 bushels of corn to the county of Dawson and

3,000 bushels of corn to the county of Pickens, or so much

thereof as the Governor may think necessary; and it shall be the duty of his Excellency the Governor to draw his warrant upon the Treasury for the amount of money necessary to pay for the purchase, sacking and shipping said corn; which amount shall be paid out of any money in the Treasury not otherwise appropriated.

Expenses paid by Gov's warrant upon the Treasury.

2. SEC. II. *And be it further enacted*, That said Quartermaster General be authorized to employ such agents, and to take, control and use such transportation, by the order of the Governor, as in his judgment shall be absolutely necessary to carry out the objects of this Act; and to pay just compensation for the services of said agents or transportation, to be approved by the Governor.

Q. M. Genl to employ agents and use transportation for this purpose.

3. SEC. III. *And be it further enacted*, That it shall be the duty of the said Justices, to make such arrangements for the transportation of said corn from the Railroad to their respective counties, as circumstances may require, and to employ such agents to take charge of and distribute the same as may be necessary; and it shall be the duty of said Justices to furnish, or cause to be furnished by said agents, to each soldier's family, and the families of deceased soldiers; the families and widows whose sons are in the military service, or whose sons have died in the military service, who are destitute of corn and need the same, a sufficient quantity of corn for their bread, and no more, free of charge; and to each person or

Justices Inf. Courts to arrange for transportation from Railroad.

Agents to be appointed to distribute.

Destitute soldiers families, &c., supplied with corn free of charge.

Relief, of the People in certain Counties.

Indigent persons also furnished.
 Other persons enumerated to be supplied at price of delivery.
 Money arising from such sales how disposed of.

family who are in such indigent circumstances as to require it, (to be judged of by the Justices aforesaid) a sufficiency for their bread and no more, free of charge; and to such other persons in their respective counties who may be destitute of corn and need the same, a sufficiency for bread and no more, at the price or cost of its delivery; and the money arising from such sale or sales, to be paid over to said Justices for the use and benefit of soldiers families, the widows of deceased soldiers, widows whose sons are in the army, or whose sons have died in the army, or been disabled, and the indigent poor of their respective counties, after paying all costs that may arise in transporting and distributing said corn.

Persons intentionally misapplying or converting corn, guilty of a misdemeanor.

Upon conviction how punished.

Disbursing agents to keep a book, under certain penalties, showing distributors, purchasers, prices, &c. Book to be open for inspection. Book to be exhibited once a month to Justices Inf. Court. Agents removable. Proviso.

4. SEC. IV. *And be it further enacted*, That if any persons through whose hands said corn may pass, shall intentionally misapply said corn, or convert the same to his own use, or in any other way direct or use the same, contrary to the objects contemplated in this Act, he, she or they so offending, shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by imprisonment in the common jail of the county, for not less than two months; nor longer than six months.

5. SEC. V. *And be it further enacted*, That it shall be the duty of said disbursing agents, under the penalties contained in the fourth section of this Act, to keep a book in which he shall have entered all corn distributed by him, and to whom, and how much, and at what price sold, and said book shall be open to inspection to any person at any and at all times; and it shall be the duty of said agent to exhibit said book to said Justices at least once a month; and said Justices shall have power to dismiss said agents at any time they may see proper; *Provided*, the provisions of this bill do not come in conflict with the absolute wants of the General Government.

SEC. VI. Repeals conflicting laws.

Assented to Nov. 26, 1863.

TITLE XVIII.

SOLDIERS AND SOLDIERS' FAMILIES.

- Sec. 1. Six million dollars appropriated for support, in 1864, of indigent families of Soldiers now in service, or who have died in service, or been disabled. Beneficiaries defined. Excludes Soldiers detailed as Mechanics. What the term "indigent" includes. Mode of relief to families, partly self-sustaining Families of Substitutes in service, included.
- " 2. Funds derived from "Income Tax Act" to form part of the six million. How distributed. Gov. to furnish Inf'r Court with copy Act, and give instructions. Schedule to be made out. Comp. Gen'l to be furnished with statement in detail. Beneficiaries. Statement accompanied with affidavit of Justices. Comp. Gen'l shall apportion fund according to number of beneficiaries returned.
- " 3. Mode of drawing fund by Inf'r Court.
- " 4. Inf'r Court authorized to make arrangements for safe custody of funds, and purchase provisions. Bonds of Agents. Compensation. Number and name of beneficiaries, how obtained.
- " 5. Inf'r Court and agents to make dilig. enquiries as to condition of applicants.
- " 6. Agents diverting or speculating on funds, or refusing settlement on demand, guilty of penal offence. Punishment. Proviso.
- " 7. At what times, and in what installments, funds to be paid out. Proviso.
- " 8. In case of removal from one County to another, how beneficiaries paid.
- " 9. Grand Juries to investigate returns, accounts and disbursements, and report violations of the Act.
- " 10. Banks, and incorporated Companies with banking privileges, taxable like other property, to raise funds under this Act. Proviso.
- " 11. \$35,000 APPROPRIATED TO PAY 4TH GA. BRIGADE, arrearages for services. Also, all other troops similarly situated.
- " 12. Legal representative may draw, in case of death of any member entitled.
- " 13. Gov. to appoint Auditor. Quar. Mas. of State to pay acc'ts audited, and return vouchers to Ex. Dep't.
- " 14. What funds to be drawn on.

GEORGIA RELIEF AND HOSPITAL ASSOCIATION.

- " 15. \$500,000 appropriated. How expended. Additional provisos. To whom supplies of clothing and shoes to be given.
- " 16. Day of annual meeting of Superintendents changed.
- " 17. Exemption from Military service granted to Agents and Employees. Provided, not more than two are exempted. How exemption to be obtained.
- " 18. Authorizes importation of supplies by association, under certain restrictions. Requiring conference with Governor.
- " 19. Appropriation may be drawn on any funds in Treasury. How drawn.

(No. 67.)

An Act to appropriate money for the support of indigent families of Soldiers, who may be in the public service; and for the support of indigent Soldiers, who may be disabled by wounds or disease in the service of this State, or of the Confederate States, for, and during the year 1864; and to provide for the application of the same, to the purposes aforesaid, and for other purposes; and to provide, in part, for the same, by levying a Tax upon the capital stock of the several Banking corporations of this State.

1. SECTION I. *The General Assembly do enact, That from, and immediately after the passage of this Act, the sum of six millions of dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated out of any money in the Treasury, not otherwise appropriated, for the support, for, and during the year 1864,*

Six million dollars appropriated for support, in 1864, of indigent families of soldiers now in service, or who have died in service or been disabled

Support of indigent families of Soldiers.

Beneficiaries defined.

of indigent widows and orphans of soldiers, who have died, or been killed in the service of this State, or the Confederate States; for the support of indigent families of soldiers, who may be in the public service; and for the support of indigent soldiers and families of soldiers, who may have been, and who may hereafter be disabled by wounds or disease, in the service of this State, or the Confederate States, *Provided*, the word "families" whenever used in this Act, shall be taken and held to mean, all persons who were dependent for support on any such person, who has gone, or may go, into the Military service, from Georgia.

Excludes soldiers detailed as mechanics.

Provided, That the benefits of this act shall not apply to soldiers, who have been detailed for the purpose of working in workshops, and transacting other business, for which they are drawing Mechanics wages. The term "indigent" to include Wives, Mothers, Grand Mothers, and all those who have to leave their ordinary business in the house, and to labor in the field to support themselves and children, and who are not able to make a sufficient support for themselves and families.

What the term "indigent" includes.

Mode of relief to families partly self-sustaining.

Provided, that the said Inferior Courts, and persons appointed by them, be required to assist such families as are partly self-sustaining, by partial appropriations, from this fund, or by selling supplies to such families, at cost and carriage, if either, or both, can be done, without manifest injustice to the claims of the actually indigent, as determined, by the provisions of this Act, *it being intended*, that the provisions of this act shall apply, as well to the families of all substitutes, who are indigents in the sense herein determined, as to others.

Families of substitutes in service included.

Funds derived from income tax act to form part of the six million.

2. SEC. II. *Be it further enacted*, That the funds raised by the law usually known as the "income tax act", assented to April 18th, 1863,* shall form, and be a part of the six millions of dollars appropriated by this act; and instead of being distributed amongst the counties of the State, according to representative population, as in said Act provided, these funds shall be distributed according to the number of beneficiaries, as provided in this law, for the distribution of the balance of the funds appropriated, by the foregoing first section thereof; and that it shall be the duty of the Governor, immediately after the passage of this Act, to cause a copy thereof to be furnished to the Inferior Court, of each county in this State, with such instruction, if any, as he may think proper to give them; and upon the receipt thereof, by said Inferior Court, it shall be their duty forthwith to proceed under the rules hereinafter prescribed, to make out a schedule of persons within their respective counties, who may be entitled to the benefits of this Act, and file the same in their respective offices; and to forward to the Comptroller General, before the first day of February 1864, or so soon thereafter as may be practicable, a statement from said schedule, of the number of widows, residing within their respective counties, of soldiers, who have died or been killed in the Military service of this State, or the Confederate States, during the existing war, or have

How distributed.

Gov. to furnish Inf. Court with copy of act, and give instructions.

Schedule to be made out, Comp. Gen. to be furnished with statement in detail.

Beneficiaries.

*For "Income Tax Act" referred to, see Pam. Acts 1863, page 176

died, after being discharged, of sickness contracted, or wounds received in the service, and who are unable to support themselves, and have not the means of support; the number of Soldiers who have been discharged, and who are residing within the county, disabled by sickness or wounds in the service, and who are not able to support themselves, and have not the means of support; those who are the wives of Soldiers in the service, or of disabled discharged soldiers, or whose son or other person, upon whom they have usually depended for support heretofore, has died, been killed, disabled, or is then absent in the Military service, and who are indigent, and have not the means of support; also, the number of orphans, under the age of twelve years, of Soldiers hereinbefore described; and also, the number of children of other women, not widows, as hereinbefore set forth, who are under the age of twelve years, and children of indigent disabled soldiers, who have been discharged, and who are under said age, and which said orphans, and other children, are indigent, and have not the means of support; and also including in said schedule and statement, all children and other indigent persons, usually dependent on the Soldier for support, over said age, who, from bodily infirmity, or other cause, are unable to support and maintain themselves; which said statement to the Governor, shall be accompanied by the affidavit of the Justices making out the schedule, that the same is of file in their office, and is just and true, and is impartial, to the best of their knowledge, and belief. When the Comptroller General receives schedules of beneficiaries, as may be reported to him by the first day of February, he, under the supervision and control of the Governor, shall proceed to apportion the fund, provided by this Act, among the several counties, where schedules are so reported, and the apportionment shall be made, upon the basis of the number of beneficiaries returned, at the time said apportionment is made.

Statement accompanied with affidavit of Justices.

Comp. Gen'l shall apportion fund according to number of beneficiaries returned.

3. SEC. III. *Be it further enacted*, That the funds to be disbursed in each county, shall be delivered to the Inferior Court of the county, or to their order, under the seal of the Court, and shall, by said Court, be appropriated to the purposes aforesaid, in such manner as they shall deem most efficient, and in substantial compliance, as to the application of the funds, with the Act assented to, November the twenty-ninth, eighteen hundred and sixty-one*; or in cases when special Acts, have been passed for any of the Counties, then in such county or counties, in substantial compliance with the local Act in force, in such county or counties, except so far as the provisions of the Act of eighteen hundred and sixty-one, and such special Acts as may be inconsistent with this Act.

Mode of drawing funds by Inf Court.

4. SEC. IV. The Inferior Courts, respectively, of the several counties of this State, are hereby authorized to make all such arrangements and regulations, as they may deem necessary, to secure

Inf. Court authorized to make arrangements for safe custody of funds.

* For Act of Nov. 29, 1861, see Pam. Acts, page 76.

Agents may be appointed to distribute funds and purchase provisions.

Bonds of agents.

Compensation.

Number and names of beneficiaries how obtained.

the custody and application of the fund, they may severally receive; and they shall have power to appoint one or more, fit and discreet persons, in each County, or Militia District, to receive the fund from them, and appropriate it for the use of the beneficiaries of this law, by purchasing articles of prime necessity for them, or otherwise, as may be found most to the advantage of the persons interested, and to receive and appropriate all such articles, as may be delivered to them, in lieu of money, under any provisions of this law. The Court may require bond and surety from each county disbursing agent, appointed under the provisions of this section; and may pay him such compensation as may be agreed upon. The Inferior Court of each County, may employ one or more good and responsible citizens, in each Militia District of the County, to ascertain the names and number of persons entitled to the benefits of this Act, and return the same to the Court. The Court shall have power to decide on the return, and to consult other sources of information.

Inf. Court and agents to make diligent enquiry as to condition of applicants.

5. SEC. V. It shall be the duty of the Inferior Courts of the several counties of this State, and all such agents, and other persons, as they shall employ or appoint, to aid in carrying out any provisions of this Act, or the provisions of the Act of 1861, not inconsistent with the provisions of this Act; to make diligent enquiries, and to see that no person shall receive any aid, or assistance, under this Act, who has sufficient income, or who might have a sufficiency, by using proper industry and labor.

Agents diverting or speculating on fund, or refusing settlement on demand, guilty of penal offense.

6. SEC. VI. If any agent appointed to receive, and pay out, and appropriate this fund, or such articles as may be delivered to him, in lieu of money, for the purpose aforesaid, shall apply the same, or any part thereof, to any other use, or uses, than those set forth in this Act; or shall trade or speculate, on the same, or any part thereof; or shall fail, or refuse, to come a full and fair account, on demand, with the Inferior Court of the county, in which he may have been appointed, or to such agent as the Inferior Court may appoint, to demand, and make such settlement. he shall be deemed guilty of larceny, after trust delegated and confidence reposed, and on conviction thereof, shall be punished, by imprisonment in the Penitentiary, for a term, not less than two, nor more than seven years; *Provided*, this act shall not operate as a repeal of the Act of 1861, or of any local Act, authorizing county Taxes, for the support of Soldiers families.

Punishment.

Proviso.

At what times and in what installments funds to be paid out.

7. SEC. VII. *Be it further enacted*, That the Governor shall make apportionment, and distribution, of the fund herein appropriated, to the several Inferior Courts, in quarterly installments; or at such other stated intervals of time, as he may think best. In making each distribution, his Excellency the Governor, assisted by the Comptroller General, shall distribute the same, in such manner, and in such proportions, as he may find necessary, so far as practicable, to equalize the benefits to be received, under this Act, by each beneficiary, *provided*, that, if upon any distribution, it shall

Proviso.

Support of indigent families of Soldiers.

appear, that, owing to the presence of the enemy, or other cause, the return of any County has not been made, it shall be the duty of His Excellency the Governor, to retain, and hold for future delivery, to the beneficiaries of such county, so failing, such reasonable and just proportion of the fund, as he may deem appropriate, which, he shall distribute to the proper authorities of such county, so soon as practicable; and if, at any time, he shall receive information, or come to such conclusion, he may require a full explanation and report, from the Justices of the Inferior Court of such county, and he may require in said report, that the said Justices, shall state on oath, to the best and utmost of their information and belief, the amount, and nature, of the aid received, and of the amount, and nature of the property, held by any, and all persons, who have been allowed to become beneficiaries of this Act, in their county.

8. SEC. VIII. *Be it further enacted*, That in all cases, where it shall be the desire of any of the beneficiaries of this Act, to remove from any county thereof, he, she, or they, shall have the right to make known their desire to the Inferior Court of the County, of his, her, or their residence: Whereupon, it shall be the duty of the Inferior Court to pay to the beneficiaries, so desiring to remove, the amount of money, to which he, she, or they, is, or are entitled, out of the funds already apportioned, and paid over to the Inferior Court for that county, for the current quarter; and also, forthwith to give a certificate to the party applying, of the facts, which shall be delivered to the Inferior Court of the County, to which the beneficiaries may remove; Whereupon, the Inferior Courts, at both counties, shall make a report of the facts to the Governor, who shall, in the next quarterly distribution of funds, cause the *pro rata* amount to which said beneficiaries may be entitled, to be deducted from the fund to be sent to the county, from which, he, she, or they, shall have removed, and distributed to the county into which, he, she, or they, shall have removed, for the benefit of such beneficiaries.

9. SEC. IX. *Be it further enacted*, That it is hereby made the duty of the Grand Jury, in each county, to make diligent enquiry into the returns, accounts and disbursements, of the Inferior Courts, and of such agents as may be appointed by said Courts, under this Act; and to make report thereon, in their general presentments, in case they can obtain information and evidence of the violation of this Act, by any person, or persons, charged with its execution in their county.

10. SEC. X. *Be it further enacted*, That the several Banking corporations; and all incorporated companies using banking privileges, of this State, are hereby subject, and liable, to pay such an ad-valorem tax upon their capital stock, assets, real and personal property, as is laid upon the taxable property of the tax-payers, of this State,—said payments to be made directly to the Comptroller General of this State—; and in assessing said taxes, the Comptroller General shall levy the same tax upon said corporations, as is levied upon such companies.

In case of removal from one county to another, how beneficiaries paid.

Grand Juries to investigate returns, accounts and disbursements, and report violations of this act.

Banks and incorporated companies with banking privileges taxable like other property to raise funds under this act.

Proviso.

Payment of the members of the Fourth Georgia Brigade.

ied upon all other property, *provided*, That the taxes raised under this section, shall become a part of the appropriation made by this Act.

SEC. XI. Repeals conflicting laws.

Assented to Dec'r 14, 1863.

(See also Act of Dec. 13, 1862, Pam. page 49, on same subject matter with this Act.

COMPILER.)

(No. 68.)

An act to provide for paying the members of the Fourth Georgia Brigade, the half pay still due them, for the time they were in the service of the State, and for other purposes.

Preamble.

WHEREAS, The Fourth Georgia Brigade was called into service at Camp McDonald, in 1861, and were then held in service at camp two months, and received only half pay for the said time; and whereas, common justice requires that the volunteers who composed said Brigade should be placed on an equality with other troops, who have served the State, THEREFORE,

\$35,000 appropriated to pay 4th Ga. Brigade arrears for services.

Also, all other troops similarly situated.

11. SEC. I. *Be it enacted by the General Assembly of the State of Georgia*, That the sum of thirty-five thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, to pay the officers and privates of said Fourth Georgia Brigade, and all other troops not paid, who were mustered into the service of the State, and who received only half pay, their remaining half pay; so that each one when so paid, shall have received his full pay for the time he served the State, according to the law regulating the compensation of officers and privates at the time they served.

Legal representative may draw in case of death of any member entitled.

12. II. *And be it further enacted*, That if any officer or private belonging to said Brigade has died, or may hereafter die, without having received his full pay, the remaining half still due him shall be paid to his legal representative or representatives.

Gov. to appoint auditor. Quartermaster of State to pay accounts audited, and return vouchers to Ex. Dep't.

13. SEC. III. *Be it further enacted*, That the Governor shall appoint a fit and proper Officer, whose duty it shall be to audit the claims of said officers and privates, and keep a full and complete record of the same, which shall be deposited in the Executive Office; and that when said claims are so audited, they shall be paid by the Quarter Master General of the State, who shall take and return proper vouchers for said payment to the Executive Office.

What funds to be drawn on.

14. SEC. IV. *Be it further enacted*, That the amounts that may be found due by the Governor, shall be paid out of the fund hereinbefore appropriated, or any other funds in the Treasury not otherwise appropriated.

SEC. V. Repeals conflicting laws.

Assented to, Dec. 7, 1863.

(No. 69.)

GEORGIA RELIEF AND HOSPITAL ASSOCIATION.

An act to appropriate funds to the uses of the Georgia Relief and Hospital Association, and for other purposes.

15. SEC. I. *The General Assembly of the State of Georgia do enact,* ^{\$500,000 appropriated.} That the sum of Five hundred thousand dollars be, and the same is hereby appropriated and set apart, to the uses and purposes of the Georgia Relief and Hospital Association, to be expended by them, subject to the same uses and limitations as provided in the Act, entitled, "An Act to appropriate funds to the uses of the Georgia Relief and Hospital Association," assented to December Twentieth, one thousand eight hundred and sixty-two, with this additional proviso; that the supplying of clothing and shoes to Georgia soldiers in the service of the Confederate States and of this State, be confined by the Association, in their discretion, to the sick, wounded, and such destitute Georgia soldiers as cannot reasonably obtain these articles from the Confederate Government, or from the clothing Bureau of the State of Georgia. ^{How expended.} ^{Additional proviso.} ^{To whom supplies of clothing and shoes are to be given.}

16. SEC. II. *And be it further enacted.* That the time of holding the annual meeting of the Board of Superintendents be changed, from the last Monday in October, in each year, as provided in the third section of the Act of December 12th, 1862, to the first Wednesday in October, in each year. ^{Day of annual meeting of Superintendents changed.}

17. SEC. III. *And be it further enacted,* That in accordance with section Fourth of an Act of the Confederate Congress, approved May first, one thousand eight hundred and sixty-two, entitled, "An Act to repeal certain clauses of an Act, entitled an Act to exempt certain persons from Military service, approved October eleventh, one thousand eight hundred and sixty-two," the necessary agents and employees of the Georgia Relief and Hospital Association, within the ages of Conscription, shall be considered officers of this State, and the same shall be and are hereby exempted from Military duty in the Provisional army of the Confederate States; *provided,* not more than two are exempted; *and provided,* the Executive Committee, or the General Superintendent of the Georgia Relief and Hospital Association shall certify to the Governor of Georgia, in each particular case claiming exemption, that the agent or employee is necessary to carry on efficiently the purposes of the organization of the Association, and is an expert in the special duty to which such agent or employee may be assigned; and in every such case, the Governor is hereby authorized to certify, that such agent or employee is an officer of the State, engaged in the due administration of the government and laws thereof, and as such is exempted by law from Military duty in the service of the Confederate States, as provided in the Act of the Confederate Congress aforesaid. ^{Exemptions from military service granted to agents and employees.} ^{Provisoes.} ^{How exemption is to be obtained.} ^{Authorizes Gov. to certify such agents or employees are officers of the State.}

Salary of Comp. General, Treasurer, and Secretary of State.

Authorizes
importation
of supplies by
the Ass'n.

Under certain
restrictions,
Requiring
conference
with Gov.

App'n may be
drawn on any
funds in
Treasury.

How drawn.

18. SEC. IV. *And be it further enacted,* That the said Association be, and they are hereby authorized, to import any portion of the supplies necessary for the purposes of the charity they represent, and for that purpose they are authorized to adopt such means as they may deem most expedient for running the blockade, and procuring the supplies subject to the laws of the Confederate States; and they shall from time to time, confer with the Governor, as to the best means of accomplishing this object.

19. SEC. V. *And be it further enacted,* That the sum appropriated by this Act, is hereby authorized to be drawn from any funds in the Treasury not otherwise appropriated, upon the warrant or warrants of His Excellency the Governor, to be drawn by him in accordance with the provisions of an act, entitled "An Act to appropriate funds to the uses of the Georgia Relief and Hospital Association," assented to December 12th, 1862, as the emergencies of the business of the Association may require.

SEC. VI. Repeals conflicting laws.

Assented to, Dec. 2, 1863.

TITLE XIX.

STATE HOUSE OFFICERS---CLERKS, SALARIES, &C.

STATE PRINTER.

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| Sec. 1. Salaries of Com. Gen. Treasurer and Secretary of State increased. | " | 4. Increase of salary of Clerk in Comp. Gen's office. |
| " 2. Preamble. State Treasury allowed a Clerk. Salary. | " | 5. Salary of principal keeper in Penitentiary increased. Also salary of Sup't Georgia Military Institute. |
| " 3. Salary of the two Clerks of Ex. Dep't. increased. Salary of Recording Cl'k of Ex. Dep't, increased. | " | 6. Of force at once. |

STATE PRINTER. (73.)

Sec. 7. State Printer paid 30 per cent on actual cost of material and labor. Must present sworn account.

(No. 70.)

An Act to increase the salaries of the Comptroller General, the State Treasurer and the Secretary of State, after the expiration of the present term of office of the incumbents.

Salaries of
Comp. Gen'l.
Treasurer and
Sec'y of State
increased.

SECTION I. *The General Assembly of Georgia do enact,* That from and after the seventh day of December next, the salary of the Comptroller General shall be three thousand dollars; that from and after the twelfth day of December next, the salary of the State Treasurer shall be three thousand dollars; and that from

Clerk in State Treasury—Salaries Sec'y's Ex. Dep., Keeper of Penitentiary, &c.

and after the twenty-ninth of November instant, the salary of the Secretary of State, shall be three thousand dollars.

SEC. II. Repeals conflicting laws.

Approved Nov. 26, 1863.

(No. 71.)

An Act to authorize the employment of a Clerk in the State Treasury, and to provide compensation for the same.

Whereas, from the issue of bonds, Treasury notes and change bills by the State, the duties of the Treasury department have become too onerous to be properly discharged by one person, on which account, during the past year the Governor has thought proper to allow temporarily the employment of a Clerk, to assist the Treasurer in the discharge of his duties. *And whereas*, the Treasurer in his annual report, suggests that a permanent Clerk be attached to the department for the purpose of receiving and recording coupons and bonds falling due, and the discharge of other duties incident thereto, and connected with the Treasury, *therefore*,

2. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That the State Treasurer be, and he is hereby authorized to employ a suitable person as Clerk, to assist him in the duties of his office, and to remove him at his pleasure; and to enable him to procure the services of a competent and trustworthy Clerk, the sum of sixteen hundred dollars is hereby annually appropriated for the salary of said Clerk, to be paid in the same manner as other salaries of the civil establishment.

SEC. II. Repeals conflicting laws.

Assented to Dec. 7, 1863.

(No. 72.)

An Act to increase the salaries of the two Secretaries of the Executive Department; the salary of the principal Recording Clerk of the Executive Department; the salary of the Clerk of the Comptroller General's Office; the salary of the keeper of the Penitentiary, and the salary of the Superintendent of the Georgia Military Institute.

3. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the 7th day of December inst., the salary of the two Secretaries of the Executive Department shall be twenty-five hundred dollars each, per annum; and that from and after the 7th day of December inst., the salary of the principal Recording Clerk of the Executive Department shall be twenty-five hundred dollars per annum.

4. SEC. II. *And be it further enacted*, That the act approved Dec. 17th 1862, allowing the Comptroller General a Clerk, be so amended as to authorize said Clerk to receive the same per annum,

Increase the pay of State Printer—To raise revenue for 1864.

salary as is here allowed to each of the Secretaries and Recording Clerk of the Executive Department.

Salary of Prin
Keeper of
Pen'y increas-
ed.

Also, salary of
Supt. Ga. Mil.
Institute.

Of force at
once.

5. SEC. III. *Be it further enacted*, That from and after the first day of January 1864, the salary of the principal keeper of the Penitentiary shall be two thousand five hundred dollars per annum. That from and after the first day of January 1864, the salary of the Superintendent of the Georgia Military Institute, be three thousand dollars per annum.

6. SEC. IV. *Be it further enacted*, That this act shall go into effect from and after its passage.

SEC. V. Repeals conflicting laws.

Assented to Dec. 7. 1863.

STATE PRINTER, (No. 73.)

An Act to increase the pay of State Printer.

WHEREAS, The cost of material used in printing, and all labor have advanced to such an extent, that the State Printer cannot execute the work required of him by the present law, without great loss; *Therefore*,

State Printer
paid 30 per
cent. on actual
cost of material
and labor.

7. SEC. I. *Be it enacted by the General Assembly of this State*, That the State Printer shall be paid thirty per cent on the actual cost of such material and labor, employed in such public printing, *provided*, that said public printer before being paid, shall make out an account, on oath, of the actual cost of material and labor employed, and present the same to his Excellency the Governor, who may allow or reject said account, or any part thereof, as in his judgment, may seem right and just.

Must present
sworn acc't.

SEC. II. Repeals conflicting laws.

Assented to Dec. 11, 1863.

TITLE XX.

TAXES AND REVENUE.

Sec. 1. Gov. and Comp. Gen'l to assess tax for political year 1864. Not exceeding one per cent. on all taxable property, estimated in Confederate currency.

" 2. Until tax is collected, Gov. may negotiate loan, or issue Treasury Notes under certain restrictions.

" 3. Specific exemption for soldiers in service, their widows and orphans, disabled soldiers, &c. Proviso.

" 4. Commissions of Tax Receivers and Collectors graduated by net am'ts of digests.

" 5. Of force immediately.

Sec. 6. Income tax to be assessed on persons and corporations. Specification of those liable. Net income to be rendered under oath, of profits over 8 per cent., from the 1st April, 1863, to the 1st April, 1864.

" 7. Graduation of taxes.

" 8. Failure or refusal to make return Penitentiary offense. Double tax also assessed.

" 9. Delinquent officers of corporations to be punished.

" 10. Tax Receivers to prosecute for all failures or refusals to make returns.

" 11. Preamble. Lands of refugees taxed one per cent per acre.

(No. 74.)

An Act to provide for raising revenue for the political year 1864, and for other purposes.

To raise revenue for 1864.

1. SECTION I. *Be it enacted, &c.,* That it shall be the duty of the Governor and Comptroller General, in assessing the tax for the ensuing year, to assess and have collected such per cent. as shall be sufficient to raise an amount of money, added to the other resources of the State, to support the Government for the political year 1864; *provided*, that the amount raised shall not exceed one per cent. upon the value of the taxable property of the State, estimated in Confederate Treasury Notes.

Gov. & Comp. Gen. to assess tax for political year 1864. Not exceeding one per cent on all taxable property, estimated in Confederate currency.

2. SEC. II. *Be it further enacted*, That the Governor shall be authorized to raise the money necessary to meet the appropriations, till the tax can be collected, by negotiating a temporary loan for the amount needed, to be paid at the end of the year in currency; or, if he cannot negotiate such loan, he may have issued Treasury Notes of this State, payable in Confederate States Treasury Notes at the end of the year; and the Confederate Notes, when collected for taxes, shall be deposited in the Treasury, and remain there to redeem said notes so issued, as they are returned, and shall not be issued or used for any other purpose. In case it shall become necessary for the Governor to issue such notes, he may direct that they be of such denomination, and for such amounts, as he may think best.

Until tax is collected, Gov. may negotiate loan, or issue Treasury notes under certain restrictions.

3. SEC. III. *Be it further enacted*, That of the property of all officers and soldiers in the service of the Confederate States for three years or during the war; and of the two regiments of State troops now enlisted for the war; of the widows and orphans of deceased soldiers; and widows and other females who have no husbands, whose sons are in the army, upon whom they are dependent for a support; of all disabled soldiers, whether rendered so by wounds, sickness, or other cause, while in said service; the sum of two thousand dollars be, and the same is hereby exempt from taxation under this act; *provided*, that the exemption contained in this act shall not apply to such persons whose taxable property exceeds the sum of ten thousand dollars.

Specific exemption for soldiers in service, their widows and orphans, disabled soldiers &c.

Proviso.

4. SEC. IV. *Be it further enacted*, That in the assessment and collection of the General State Tax for 1864, no Receiver of Tax Returns or Tax Collector shall receive more than fifteen hundred dollars commissions on said tax; that is to say, on all digests that net ten thousand dollars and under twenty thousand dollars, not more than six hundred dollars commissions shall be allowed to each officer; where the digests net over twenty thousand dollars and under forty thousand dollars, not more than eight hundred dollars shall be allowed to each officer; that where the digests net over forty thousand dollars and under sixty thousand dollars, not more than one thousand dollars shall be allowed to each officer; where the digests net over sixty thousand dollars and under eighty thousand dollars, the amount allowed each officer shall not exceed twelve hundred dollars; and that where the digests net over eighty thousand dollars, fifteen hundred dollars, and no more, shall be allowed to each officer by the Comptroller General; and that in al-

Commissioners of Tax Receivers and Collectors graduated by net amounts of digests.

Income Tax Act.

lowing these officers commissions, the Comptroller General be directed to allow the commissions to each, according to the schedule in the Code, until the limits above stated, as to commissions, are reached; after which, the limits shall be the whole commissions allowed for each net digest specified in this section.

5. SEC. V. *Be it further enacted*, That this act shall go into effect from and immediately after its passage.

SEC. VI. Repeals conflicting laws.

Approved Dec. 12, 1863.

(No. 75.)

An Act to levy and collect a tax on the net income and profits of all persons and corporate bodies, and net profits of all persons making incomes, by purchase or sale of any property, real or personal; upon the net income of all Express Companies, Railroad Companies not exempt by their charters from taxation, Insurance Companies, Brokers, Auctioneers, all persons engaged in the manufacture of iron and salt, and cotton dealers, and upon all profits arising from the sale of goods, wares and merchandise, groceries and provisions; also on the income or profits of all persons and corporate bodies engaged in the manufacture of cotton and woolen goods; in the tanning and sale of leather, and the manufacture and sale of any articles made thereof; and in the distillation and sale of alcohol or spirituous liquors from grain of any kind, or from any other article; and to appropriate the same, and to punish all persons as may fail to give in their income or net profits, and for other purposes.

Income tax to be assessed on persons and corporations.

Specification of those liable.

Net income to be rendered under oath, of profits over 6 per cent, from 1st April, 1863 to 1st April, 1864.

6. SECTION I. *The General Assembly of Georgia, do enact*, That all persons and bodies corporate in this State, all persons making income by purchase or sale of any property, real or personal, all keepers of hotels, inns and livery Stables, Express Companies, Rail Road Companies, not exempt by their charter from taxation, Insurance Companies, Brokers, Auctioneers; all persons engaged in the manufacture of Salt, all persons engaged in the sale of goods, Wares and Merchandise, Groceries and Provisions; all persons and bodies corporate engaged in the manufacture and sale of cotton and woolen goods, in the tanning and sale of leather, and in the manufacture and sale of any article made thereof, and all persons engaged in the distillation or sale of alcohol or spirituous liquors from grain of any kind, or from any other article, when they make a return of their taxable property, shall make a return under oath, of the net income or profits which he, she, or they, may have made respectively in the sale or manufacture and sale of any of the articles above enumerated, and in the conducting of any of the business aforesaid, from the 1st day of April 1863, to the 1st day of April 1864, over and above 6 per cent on the capital employed in his business.

Income Tax Act.

7. SEC. II. *Be it further enacted*, That in all cases when the net incomes and profits, over and above the eight per cent on the capital stock so excepted as aforesaid, are ten thousand dollars or less, the tax shall be five dollars for every hundred dollars; upon all sums not less than ten thousand dollars nor more than fifteen thousand dollars, seven and a half dollars upon every one hundred dollars; upon all sums not less than fifteen thousand dollars nor more than twenty thousand dollars, ten dollars upon every one hundred dollars; upon all sums not less than twenty thousand dollars nor more than thirty thousand dollars, twelve dollars and fifty cents upon every one hundred dollars; upon all sums not less than thirty thousand dollars nor more than fifty thousand dollars, fifteen dollars upon every one hundred dollars; upon all sums not less than fifty thousand dollars nor more than seventy-five thousand dollars, seventeen dollars and fifty cents upon every one hundred dollars; upon all sums not less than seventy-five thousand dollars nor more than one hundred thousand dollars, twenty dollars upon every one hundred dollars; upon all sums of one hundred thousand dollars and over, twenty-five dollars upon every one hundred dollars.

Graduation of
axes.Failure or re-
fusal to make
return, Peni-
tentiary of-
fense.Double tax,
also assessed.

8. SEC. III. That if any person, or bodies corporate, embraced in the first section of this Act, shall fail or refuse to make a return of his, her, or their profits, made or realized as aforesaid, he, she, or they, shall be held to be guilty of a high misdemeanor, and on conviction thereof, shall be confined, at hard labor, in the Penitentiary, for any term not less than one year, nor more than five years; and the Receiver of Tax-returns shall assess a double Tax on all taxable income, of such delinquent, as far as he may be able to ascertain, upon diligent enquiry.

Delinquent
officers of cor-
porations to
be punished.

9. SEC. IV. That if the officers of any body corporate, whose duty it is to make the proper returns, required by the provisions of this Act, shall fail, or refuse, to make just and proper returns of all profits, or net incomes, made by said corporation, or shall enter and charge the profits in the extension of stock, and not as profits, or otherwise, so as to defeat the object of this Act; such officer, or officers, so offending, shall be guilty of a high misdemeanor, and upon conviction thereof, shall be confined, at hard labor, in the Penitentiary, for any time not less than two nor more than six years, and that the said Receiver of Tax-returns shall assess a double Tax on all taxable income of such delinquent, as far as he may be able to ascertain the amount, upon diligent enquiry.

Tax Receiv-
ers to prose-
cute for all
failures and
refusals to
make returns.

10. SEC. V. That it shall be the duty of the several Tax-Receivers of this State, to prosecute all parties who shall fail, refuse, or neglect, to give in their Tax, as required by the provisions of this Act, or whom they may have good reason to believe have not done the same in good faith.

SEC. VI. Repeals conflicting laws.

Assented to Dec'r 14, 1863.

The "Income Tax Act", of April 18, 1863, (Pam., page 176,) assessed a Tax on income and profits, from the 1st day of April 1862, to 1st day of April 1863. This Act imposes a Tax from 1st April, 1863, to 1st April 1864, on a different basis of graduation.—COMPILER.

Certain lands exempt from taxation.

(No. 76.)

An Act to exempt certain lands from taxation.

Preamble.

WHEREAS, A large number of persons in various parts of this State have been driven from their homes by the enemy, and have consequently been put to great expense and much loss by abandoning their homes, and many have not been able to make provisions for the support of their families.

Lands of refugees taxed one per cent per acre.

11. SECTION I. *Be it enacted, &c.*, That the lands of such persons lying in the counties from which they are driven by the public enemy, be, and the same are hereby exempt from taxation, except a nominal tax of one cent per acre.

SEC. II. Repeals conflicting laws.

Assented to Nov. 30, 1863.

PART II.

PRIVATE AND LOCAL LAWS.

- TITLE I.—CITIES AND TOWNS.
" II.—CITY COURTS.
" III.—CORPORATIONS.
" IV.—COUNTY LINES.
" V.—COUNTY REGULATIONS.
" VI.—EDUCATION.
" VII.—RELIEF.
" VIII.—TAXES.



PART II. PRIVATE AND LOCAL LAWS.

TITLE I.

CITIES AND TOWNS.

ATLANTA, (No. 77.)

- Sec. 1. Corporate limits of Atlanta, extended so as to include Lot of Land No. 21, in 14th District, of originally Henry, now Fulton county, purchased for a Cemetery.
- " 2. Salary of Mayor—how fixed. Provision. Salary of City Council for 1864, and thereafter; how determined.
- " 3. Mayor and Council to have power of regulating retail of ardent spirits, under restrictions. Power as to Theatrical Companies, Shows, &c. Authorized to tax Commission Merchants, and Auctioneers, negro brokers and traders generally.
- " 4. In absence of Mayor, three members of Council may fine for violation of any City Ordinance.
- " 5. Bonds of City Officers, how estimated and approved.

COLUMBUS, (No. 78.)

- " 6. Marshal, Deputy Marshal, Clerk of Council and Sexton of City of Columbus, to be elected by general ticket.

DAWSON, (No. 79.)

- " 7. President and City Council authorized to tax Shows, and issue retail licence, under certain restrictions. Itinerant traders. How fines and taxes collected.

GRIFFIN, (No. 80.)

- " 8. Election of Mayor and Aldermen of Griffin, the first Wednesday in December of each year.

LAWRENCEVILLE, (No. 81.)

- " 9. Corporate limits of Lawrenceville extended.
- " 10. Commissioners to have same powers as Justice of the Peace, as to evidence, trial and commitment. Powers and duties of President. Compensation.
- " 11. Additional compensation may be allowed to President by Commissioners.

MARIETTA, (No. 82.)

- " 12. Taxation of citizens limited.
- " 13. Street and Road duty may be apportioned on application.
- " 14. Of force from Jan. 1st, 1864.

SPRINGPLACE, (No. 83.)

- " 15. Commissioners authorized to issue retail licence under restrictions.
- " 16. Selling without licence, how punished.

Amend acts incorporating the city of Atlanta.

(No. 77.)

*An Act to alter and amend the several acts incorporating the city of Atlanta.**

Corporate limits of Atlanta extended so as to include lot of land No. 21 in 14th Dist. of originally Henry now Fulton Co., purchased for a cemetery.

Salary of Mayor, now fixed.

Proviso.

Salary of City Council for 1864 and thereafter, how determined.

Mayor and Council to have power of regulating retail of ardent spirits, under restrictions.

1. SECTION. I. *Be it enacted*, That immediately after the passage of this act, the limits of the city of Atlanta, be extended, so as to include a parcel of land situate on lot of land, number twenty-one, in the fourteenth District, of originally Henry, now Fulton county, containing one hundred and sixty acres; recently purchased by the Mayor and Council of said city, for a Cemetery, the line to commence at the present corporation line, near the South-east corner of Atlanta Cemetery, and to run in a South-east direction, until it strikes the line of said parcel of land, and thence to run around the East and South lines of said land, to the South-west corner of the same, and thence in a North-western direction to the present corporation line, including said parcel of land and the land lying between it and the present corporation line within said city.

2. SEC. II. *Be it further enacted*, That the City Council of Atlanta, or a majority of them now in office, shall have power and authority to fix the salary of the Mayor for next year; and the Council of any year hereafter shall have the power to fix his salary for the subsequent year, *provided* said salary shall not exceed the sum of Twenty-five hundred dollars; and City Council for the year Eighteen hundred and sixty-four, shall each receive for their services a sum of not exceeding two hundred dollars, the amount to be determined by the present Council; and each Council hereafter to fix the amount to be received by their successors, not to exceed the sum of two hundred dollars each, "per annum."

3. SEC. III. *Be it further enacted*, That the Mayor and Council of said city shall have full power and authority to regulate the retail of ardent spirits, within the corporate limits of said city; and at their discretion, to issue license to retail, or to withhold the same, and to fix the price to be paid for license at any sum they may

* Incorporated as MARTHAVILLE, 23 Dec. 1843, p. 83.

Name changed to City of "ATLANTA," 29 Dec., 1847, p. 50.

Charter amended 23 Feb., 1850. Pam. p. 96.

Charter amended as to election of Marshal and Deputy Marshal, 20 Jan. 1852. Pam. p. 386.

Taxation on persons, property and professions, authorized Jan. 22, 1862. Pam. p. 387.

Limits extended Feb. 20, 1854. Pam. p. 213.

Charter amended as to power of Mayor and Council, over sale and disposition of ardent spirits, March 3, 1856. Pam. p. 395.

Repealed Dec. 21, 1857. Pam. p. 166.

City Court established, March 5, 1856. P. 245.

Election of Mayor and Council, changed from 3d Monday in January, to 3d Wednesday. December 12, 1859, p. 31.

Mayor and Council authorized to take possession of and improve ground about general Passenger Depot. Nov. 23, 1859. Pam. p. 128.

Charter amended so that Mayor and Six Councilmen may make a quorum. May pass Ordinances as to sale of spirituous liquors to negroes and free persons of color,—suppression of disorderly houses and of ill-fame;—and of disorderly conduct and breaches of the peace. December 20, 1860. Pam. p. 90—91.

Charter amended, so as to make election of Mayor and Council, on the the first Wednesday of December in every year. Vacancy of Mayor. City tax Collector and Receiver. Market. Street duty and tax. Jail. Fees of Officers. Limits extended. Dec. 6, 1861. Pam. page 89, 90 and 91.

Amend Charter of the City of Columbus—Amend act incorporating town of Dawson.

think proper, not exceeding two thousand dollars. Said Mayor and Council shall also have power to pass such Ordinances as they may think proper, in regard to granting or not granting licenses to theatrical companies, or performers, or for shows, or other exhibitions, *provided* the price to be paid for such licenses when granted, shall not exceed two hundred dollars for each performance or exhibition; and said Mayor and Council shall also have power and authority to levy such tax as they may think right and proper on all commission merchants, Auctioneers, or negro Brokers, or traders within said city, not exceeding two per centum on the amount of their sales.

Power as to
theatrical
companies,
shows, &c.

Authorized
to tax com-
mission mer-
chants, auc-
tioneers, &c.

4. SEC. IV. *Be it further enacted*, That the Mayor of said city, or in his absence, three members of Council when sitting as a Court, shall have the power to impose a fine of not exceeding five hundred dollars for the violation of any Ordinance of said city.

In absence of
Mayor, three
members of
Council may
fine for viola-
tion of any
city ordi-
nance.

5. SEC. V. *Be it further enacted*, That said Council and Mayor, shall be authorized to fix the amount of all bonds to be given by the various officers of said city; and to adjudge of and approve the same.

Bonds of city
officers, how
estimated and
approved.

SEC. VI. Repeals conflicting laws.

Assented to, Nov. 26, 1863.

(No. 78.)

An Act to alter and amend the charter and prescribe the mode of electing Marshal, Deputy Marshal, Clerk of Council, and Sexton in the city of Columbus.

6. SECTION I. *Be it enacted by the General Assembly of Georgia*, That from and after the passage of this Act, it shall be lawful for the citizens of the city of Columbus to elect by general ticket, a Marshal, Deputy Marshal, Clerk of Council and Sexton; which election shall be held at the Court-house in said city on the second Saturday in December in each and every year, in the manner prescribed by law.*

Marshal, Dep.
Marshal, Clerk
of Council &
Sexton of city
of Columbus
to be elected
by general
ticket.

SEC. II. Repeals conflicting laws.

Assented to Dec. 7, 1863.

*For mode of electing above named city officers, as heretofore prescribed, see Pam. Acts of 1862 & 3, pages 69 and 70.

(No. 79.)

An Act to amend the sixth section of an Act entitled an Act to incorporate the town of Dawson, in the county of Terrell, and to provide for the election of President, Councilmen and Marshal for the same, and for other purposes.

7. SECTION I. *The General Assembly of the State of Georgia do enact*. That from and after the first day of January next, the sixth section of the above recited Act, be so amended as to read as fol-

Amend Act incorporating the city of Griffin—Extend the limits of the town of Lawrenceville.

President and
City Council
authorized to
tax shows and
issue retail li-
cense under
certain re-
strictions.

Itinerant tra-
ders.

Town fines
and taxes col-
lected.

laws, to-wit: That said President and Council shall have power to tax all shows in said town of Dawson, performing there for the purpose of gain; to issue license to retail spirituous liquors in said town, and to charge for the same a sum not exceeding four thousand dollars; and the said retailers of spirituous liquors in said town shall also comply with the law now in force, as to bond and oath; the said President and Council shall have power to tax itinerant traders in said town, and they shall have power to enforce the collection of taxes, fines and penalties, in such manner as they shall see proper.*

SEC. II. Repeals conflicting laws.

Assented to Nov. 18, 1863.

*For 6th Section of Act incorporating the town of Dawson, amended and changed by this Act, See Laws of 1857, Pam. pages 174-5.

(No. 80.)

An Act to amend the first section of an Act incorporating the city of Griffin, assented to Feb. 18th, 1854.

Election of
Mayor & Al-
dermen of
Griffin the 1st
Wednesday
in Decr in
each year.

8. SECTION I. *Be it enacted by the General Assembly of Georgia,* That the first section of an act incorporating the city of Griffin, assented to February 18th, 1854,* be so amended, that the election for Mayor and Aldermen of the city of Griffin shall take place on the first Wednesday in December, 1863, and every year thereafter, instead of the first Monday in April, all laws to the contrary notwithstanding.

Assented to Nov. 24th, 1863.

*For section of Act amended, see Pam. Acts 1853-4, pages 247-8.

(No. 81.)

An Act to extend the corporate limits of the town of Lawrenceville in the county of Gwinnett; to increase the powers of the Board of Commissioners of said town, and to provide for the compensation of their President.

Corporate
limits of Law-
renceville ex-
tended.

9. SECTION I. *Be it enacted, &c.,* That the corporate limits of the town of Lawrenceville, in the county of Gwinnett, be, and the same are hereby extended to the distance of one half of one mile from the Court-house in said town, in every direction.

Commission-
ers to have
same powers
as Justices of
Peace, as to
evidence, tri-
al and com-
mitment.

10. SEC. II. *Be it further enacted,* That the Commissioners of said town, or a majority of them, when sitting as a board, shall have the same power which Justices of the Peace now have in this State, to hear evidence in all cases of alleged violation of the penal laws of this State, committed within the corporate limits of said town, and to discharge, bind over to the Superior Court, or commit to jail persons so charged, in their discretion, as such Justices may do; and that the President of said Board shall have the same power on affidavit made before him, to issue his warrant for

Powers and
duties of
President.

Amend Act making Marietta a city.

the arrest of persons so charged, and to prepare and sign all necessary commitments or other processes and papers which such Justices have in similar cases; and it shall be the duty of the Jailor of said county to obey all precepts and processes issued by such President as if issued by a Justice of the Peace; and it shall be the duty of such President to return all recognizances and papers by him so taken to the Superior Court, as such Justices are now required by law to do; and for such services the President of said Board shall have the same fees and costs which are now allowed to said Justices for such services, and to be collected in the same manner.

Compensation.

11. SEC. III. *And be it further enacted*, That it shall be lawful for the Commissioners of said town, or a majority of them, to provide for and allow the President of their Board such other and further compensation for his services, as a conservator of the Peace and otherwise, within said town, as they from time to time may direct.

Additional compensation may be allowed President by Com'rs.

SEC. IV. Repeals conflicting laws.

Assented to Dec. 12, 1863.

(No. 82.)

*An Act to amend an Act of the Georgia Legislature, approved the 22d day of January, 1852, making Marietta in said State a city.**

12. SECTION I. *The General Assembly do enact*, That for the year 1864, it shall not be lawful for the Mayor and Councilmen of the city of Marietta, in said State, to levy a tax on the citizens and property-holders of said city, exceeding one-twentieth of one per cent.

Taxation of citizens limited.

13. SEC. II. That when any person in said city, liable to street or road duty in said city, shall make application to the Mayor and Council of said city for a proportion of streets or roads within the limits of said city for himself and hands to work and keep in repair, they shall parcel off to each applicant some equal and just portion of said streets or roads, to be increased or diminished according to the number of hands, or according to the amount of taxes paid by said applicant to said city, to be judged of by the Mayor and Council of said city.

Street and road duty may be apportioned on application.

14. SEC. III. *Be it further enacted*, That this Act shall take effect from and after the first day of January next.

Of force from 1st Jan., 1864.

SEC. IV. Repeals conflicting laws.

Assented to Dec. 14, 1863.

*For Act of incorporation amended, see Pam. Act of 1861-2; pages 390-1-2-3-4-5-6, &c.

Commissioners of Spring Place authorized to issue license—Judge of City Court of Augusta.

(No. 83.)

An Act to alter and amend an Act entitled an Act to authorize the commissioners of Spring-Place in Murray county to issue license for the retail of spirituous liquors, and to fix the amount of the license for the same, and to punish for selling without license, assented to December 13th, 1861.

Com'rs authorized to issue retail license under restrictions.

15. SECTION I. *Be it enacted*, That the Commissioners of the town of Spring-place, in Murray county, are hereby authorized to issue license to retail spirituous liquors therein, and to charge and collect for the same as they may think best, not exceeding three thousand dollars per year, for each license.

Selling without license, how punished.

16. SEC. II. *Be it further enacted*, That all persons who shall retail spirituous liquors within said town without license from said Commissioners, shall be punished as now provided by law for retailing without license.

SEC. III. Repeals conflicting laws.

Assented to Nov. 26, 1863.

TITLE II.

CITY COURTS.

AUGUSTA, (No. 84.)

Sec. 1. Judge of City Court empowered to issue writs of Habeas Corpus, and try the same. Judge of city Court

invested with power in case of possessory warrants. Proviso.

SAVANNAH, (No. 85.)

Sec. 2. Repeals clause requiring Justices of the Peace to hold their offices in their respective Districts.

“ 3. J. P.'s for 1st, 2nd, 3d and 4th Dists., may hold their offices in any part of the city.

(No. 84.)

An Act to confer certain powers upon the Judge of the City Court of Augusta.

Judge of City Court empowered to issue writs of habeas corpus and try the same.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, the Judge of the City Court of Augusta shall have power in all cases arising within the corporate limits of the city of Augusta, to issue writs of *Habeas Corpus*; and to hear and dispose of the same; and to discharge, admit to bail, or remand to jail any prisoner, according to his dis-

Jurisdiction of the Justices of the Peace in Savannah—Name of Athens Steam Co. changed.

creation, and the law of the land, whether the Judge of the Superior Court be present or absent; said Judge shall have concurrent jurisdiction with the Judge of the Superior Court, Justices of the Inferior Court, and Justices of the Peace of the county of Richmond, in all matters appertaining to the issuing of possessory warrants; and the proceedings thereon; *provided*, that nothing herein contained shall be construed, so as to lessen, or take away the powers of the Judge of the Superior Court, Justices of the Inferior Court, or Justices of the Peace of Richmond county.

Also, invested with power in case of necessary warrants.

Proviso.

SEC. II. Repeals conflicting laws.

Assented to Dec. 7th, 1863.

(No. 85.)

An Act to alter and amend an Act entitled an Act, to repeal an Act to extend the civil jurisdiction of the Peace in the city of Savannah, and for other purposes, assented to 17th February, 1854.

2. SECTION. I. *Be it enacted by the General Assembly of Georgia*, That from and after the passage of this Act, the following clause in the several sections of the above recited Act, to-wit: and they are hereby required to hold their Courts, and keep their offices within the limits of the districts for which they have been respectively elected, be, and the same is hereby repealed.*

Repeals clause requiring Justices of the Peace to hold their offices in their respective districts.

3. SEC. II. *And be it further enacted*, That it shall be lawful for the Justices of the Peace for the first, second, third, and fourth districts, composing the city of Savannah, to hold their offices and Courts in any part of said city.

J. P.'s for 1st, 2d, 3d and 4th dists may hold their offices in any part of the city.

SEC. III. Repeals conflicting laws.

Assented to Nov. 28th, 1863.

*See Pam. Acts 1853--4, p. 325.

TITLE III.

CORPORATIONS, (No. 86.)

Sec. 1. Name of the Athens Steam Company changed. | Sec. 2. Capital stock increased.

(No. 86.)

An Act to change the name of the Athens Steam Company, to the "Athens Foundry and Machine Works," and to increase the capital of the same.

1. SECTION I. *The General Assembly of Georgia do enact*, That

Change county line between Sumter and Terrell—Compensation of Petit Jurors in Emanuel county.

Name of Athens Steam Co. changed.

Capital stock increased.

the name of the "Athens Steam Company" of Clarke county, be changed to the "Athens Foundry and Machine Works."*

2. SEC. II. *Be it further enacted*, That the capital stock of said Company may be increased one hundred thousand dollars, under the restrictions and liabilities contained in its charter.

SEC. II. Repeals conflicting laws.

Assented to Dec. 18, 1863,

*For Act of incorporation, see Pam. Acts 1853-4. pages 333-4.

TITLE IV.

COUNTY LINES.

Sec. 1. Change of Conty Line between Sumter and Terrell.

(No. 87.)

An Act to change the county line between Sumter and Terrell counties; to make Kinchafoonee Creek the line between said counties of Sumter and Terrell, and for other purposes.

Change of county line between Sumter and Terrell.

1. SECTION. I. *Be it enacted, &c.*, That from and immediately after the passage of this act, that Kinchafoonee Creek, shall be the dividing line between the counties of Sumter and Terrell, and all that portion of Sumter that lies on the South-west side of said creek, shall be attached to and become a part of Terrell county; and all that part of Terrell that lies on the North-east side of said Kinchafoonee, shall be added to and become a part of the county of Sumter.

SEC. II. Repeals conflicting laws.

Assented to, Dec. 11, 1863.

TITLE V.

COUNTY REGULATIONS.

EMANUEL CO., (No. 88.)

Sec. 1. Repeals Act of 1860, allowing compensation to Petit Jurors. " 2. Of force from 1st Jan. 1864.

McINTOSH CO., (No. 89.)

" 3. Sheriffs bond of McIntosh county, fixed at \$10,000.

WARREN CO., (No. 90.)

" 4. Infr. Court of Warren county authorized to levy taxes without recommendation of Grand Jury.

(No. 88.)

An Act to repeal the second section of an act entitled an act to compensate officers and Free-holders for their services for holding general elections and county elections, in the county of Emanuel; also, to compensate Petit Jurors in said county, assented to December 8th, 1860.

1. SECTION I. *The General Assembly of Georgia do enact*, That

Bond of the Sheriff of McIntosh county reduced—Inferior Court of Warren county to levy taxes.

the second section of the above recited act, relative to the compensation of Petit Jurors, be and the same is hereby repealed.*

Repeals act of 1860 allowing compensation to petit jurors

2. SEC. II. *Be it further enacted*, That this act shall take effect, and go into operation, from and after the first day of January next.

Of force from 1st Jan., 1864.

SEC. III. Repeals conflicting laws.

Assented to, Dec. 26, 1863.

*See Pam. Acts of 1860. P. 157.

(No. 89.)

An Act to reduce the amount of the bond of the Sheriff of McIntosh county.

3. SECTION I. *Be it enacted, &c.*, That from and after the passage of this act, the bond to be required of the Sheriff of McIntosh county, shall be ten thousand dollars, in lieu of twenty thousand dollars, as heretofore required by law.

Sheriff's bond of McIntosh Co. fixed at \$10,000.

SEC. II. Repeals conflicting laws.

Assented to, Dec. 14, 1863.

(No. 90.)

An Act to amend an act entitled "An act to authorize the Justices of the Inferior Courts of the several counties in this State, from time to time, in their discretion, to levy such extra taxes as they may deem necessary to equip Volunteer, or other soldiers from their respective counties, and to provide for the indigent families of soldiers; to authorize the collection of the same; and to legalize their previous action in the premises, and for other purposes, approved Nov. 29, 1861, so as to except the county of Warren, from the 2d section.

4. SECTION I. *The General Assembly of the State of Georgia do enact*, That the 2d section of the before recited act be amended, so as to strike out Warren county from said section; the intent and meaning of this act being, that the Justices of the Inferior Court of Warren county, may levy taxes, and do any other act contemplated in said before recited act, without the recommendation of the Grand Jury of said county.

Inf. Court of Warren Co. authorized to levy taxes without recommendation of Grand Jury.

SEC. II. Repeals conflicting laws.

Assented to, Dec. 14, 1863.

TITLE VI.

EDUCATION.

GREENSBORO FEMALE COLLEGE, (No. 91.)

Sec. 1. Greensboro Female College authorized to sell all its real and personal property to pay debts.

Sec. 2. Title how conveyed.

"JOHNSON ACADEMY" OF WALTON CO. (No. 92.)

Sec. 3. Preamble. Act of Dec. 25th, 1821, as continued in force. Named "Johnson Academy."

Sec. 4. Commissioners confirmed. May receive bequests and donations.

Sec. 5. 1st and 2nd Secs. of Act Dec. 25th, 1821 in force. 3rd Section repealed.

(No. 91.)

An Act to authorize the Greensboro Female College to sell their property, real and personal, for the payment of their debts.

Greensboro' Female College authorized to sell all its real and personal property to pay debts.

1. SECTION I. *Be it enacted by the General Assembly, That the Greensboro Female College in Greene county, be, and they are hereby authorized and empowered to sell and dispose of all and singular, their real and personal property, in such a manner as they may deem expedient for the purpose of paying their debts and liabilities.*

Title, how conveyed.

2. SEC. II. *And be it further enacted, That the Trustees of said College, by their President or other officer by them appointed for the purpose, shall have full power to convey and make titles to any, and all of said property, to any person or persons, or body corporate whatever.*

Assented to Dec. 14th, 1863.

(No. 92.)

An Act to amend and continue in force an Act entitled an Act to appoint Commissioners for the county Academies of Walton, Gwinnett, Hall, Habersham, Rabun, Warren and Pulaski, and to incorporate the same, assented to 25th, December, 1821, so far as the county Academy in Walton is concerned, and for other purposes.

Preamble.

WHEREAS, Nehemiah Johnson, late deceased, of Walton county, did by his last will and testament, make a liberal bequest to the county Academy in Walton; which fund is withheld by the Executor of said Johnson's estate, because the charter of incorporation is supposed to have been forfeited by non-user.

Act of Dec. 25, 1821, as to county academy in Walton Co., continued in force.

3. SECTION I. *Be it enacted by the General Assembly of Georgia, That the provisions of the Act heretofore recited, be, and the same are hereby recognized as valid and operative, and shall be so*

Relief of Harriet M. R. Montmollin.

continued, so far as regards the county Academy in Walton; and as no distinctive name was given by the charter, said corporation shall be hereafter known as the "Johnson Academy." Named John-son Academy.

4. SEC. II. *Be it further enacted*, That Ralph Briscoe, Eli A. Smith, William W. Newell, John Felker and Rufus Hughes are hereby recognized and confirmed as Commissioners of said Academy, a majority of whom shall constitute a Board for business; and are hereby empowered to receipt for and receive the bequest hereinafore recited, and any other gift or bequest which may be made to said Academy; and to use and appropriate the same as has been, or may hereafter be directed, by any donor or testator. Commissioners confirmed. May receive bequests and donations.

5. SEC. III. *Be it further enacted*, That all the rights, powers and privileges conferred by the first and second sections of the Act, of which this is amendatory, are hereby continued and fully vested in the Commissioners; and that the third section of said Act is hereby repealed, so far as the Academy in Walton is concerned."* 1st and 2nd sess. of act. of Dec. 25, 1821, in force. 3d sec. repealed.

SEC. IV. Repeals conflicting laws.

Assented to Dec. 14th, 1863.

*See Dawson's Compilation p. 9.

TITLE VII.

RELIEF.

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| <p>Sec. 1. Refunds over-payment of tax for 1863 to Admr'x. of estate of Jno. S. Montmollin, dec'd. Warrant on Treasury.</p> <p>" 2. Legalizes the marriage of the parties named.</p> <p>" 3. This Act in bar of any prosecution.</p> | <p>Sec. 4. Preamble. Executors of Ross C. Davis, resident in S. Ca., authorized to qualify and carry out his will in this State.</p> <p>" 5. Refunds overpayment of taxes by Westley Sheffield of Miller Co.</p> |
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(No. 93.)

An Act to refund to Harriet M. R. Montmollin, Administratrix on the estate of John S. Montmollin, late of Chatham county, deceased, the amount of a double tax paid by her for the year 1863, in Chatham county.

1. SECTION I. *Be it enacted, &c.*, That whereas the returns of the property of said estate in Chatham county, not having been made from unavoidable causes, and the said Administratrix having paid a double tax of three hundred and fifty-seven dollars in consequence thereof, that the Governor of the State of Georgia be requested to draw his warrant on the Treasury, in favor of said Harriet M. R. Montmollin, Administratrix, for the amount of one hundred and Refunds over payment of tax for 1863 to admin'x of estate of Jno. S. Montmollin, deceased. Warrant on Treasury.

Relief of James T. Patterson and Kate B. Patterson—James Ravenal and S. P. Ravenal.

seventy-eight dollars and fifty cents; the sum paid by her, over and above a single tax on said estate.

SEC. II. Repeals conflicting laws.

Assented to Dec. 14, 1863.

(No. 94.)

An Act for the relief of James T. Paterson and Kate B. Paterson.

WHEREAS, James T. Paterson and Kate B. Paterson intermarried under the impression that John H. Talbird, a former husband of the said Kate B. was dead at the time of said marriage, and whereas, doubts now exist whether or not the said John H. is alive, therefore,

Legalizes the marriage of the parties named.

2. SECTION I. *Be it enacted by the Senate and House of Representatives of the State of Georgia.* That the said John T. Paterson and Kate B. Paterson, formerly Kate B. Talbird, of the county of Richmond, be, and are hereby relieved from all the pains and penalties under existing laws, in consequence of said marriage.

This act in bar of any prosecution.

3. SEC. II. *Be it further enacted; &c.,* That this Act may be specially plead in bar to any prosecution against either or both of said parties.

Assented to Dec. 11, 1863.

(No. 95.)

An Act to relieve James Ravenal and Samuel Priolau Ravenal, of the State of South Carolina, nominated Executors of Ross C. Davis, deceased, from legal disability on account of non-residence, and for other purposes.

Preamble.

WHEREAS, Ross C. Davis, a citizen of Charleston, South Carolina, while temporarily sojourning with his family in Richmond county, departed this life testate, leaving as his Executors his friends James Ravenal and Samuel Priolau Ravenal, of Charleston, South Carolina; and whereas, the family and a considerable portion of the estate of said deceased, are in this State, and it is earnestly desired that said Executors shall prove the will of said deceased, and qualify as Executors in this State as well as in South Carolina, which cannot be done without a special enabling Act, therefore,

Ex'rs of Ross C. Davis, resident in S. C., authorized to qualify and carry out his will in this State.

4. SECTION I. *The General Assembly of the State of Georgia do therefore enact,* That James Ravenal and Samuel Priolau Ravenal, of Charleston, South Carolina, be, and they are hereby relieved from all legal disability resulting from non-residence, and they are hereby authorized and empowered to prove said will of Ross C. Davis, in the county of Richmond, and to qualify as the Executors thereof; and upon the issuing of letters testamentary, to do any

Relief of Westley Sheffield—Extra tax in Chatham county.

and all things appertaining to the carrying out of said will, in as ample a manner, as if they were citizens of this State, subject however, and in conformity with the laws of this State.

SEC. II. Repeals conflicting laws.

I am informed that the parties at interest consent, to the passage of this bill, and I therefore assent to it, this 24th, Nov. 1863.

JOSEPH E. BROWN, Governor.

(No. 96.)

An Act for the relief of Westley Sheffield, of Miller county, and to appropriate money for the same.

WHEREAS, by an Act assented to December 14th, 1861, an appropriation was made to reimburse Westley Sheffield the amount of State tax overpaid by him in 1860, in Miller county, which money is withheld, the receipt showing payment by West Sheffield, instead of Westley Sheffield; and being satisfied that it is a mistake in the name of the same person.

5. SECTION I. *The General Assembly do enact*, That the amount of State tax so overpaid by Westley Sheffield, of Miller county, be, and the same is hereby appropriated to the said Westley Sheffield, and that the Governor issue his warrant on the Treasury for the same, for the reimbursment of said Sheffield.

Assented to Dec. 11, 1863.

TITLE VIII.

TAXES.

- | | |
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| <p>Sec. 1. Infr. Court of Chatham authorized to levy an extra tax, and on what basis. Amount of extra tax.</p> <p>" 2. Amount raised to be used in paying house rent of families of indigent soldiers in service. Proviso.</p> | <p>Sec. 3. Compensation of Tax Collector and Clerk Interior Court for additional services under this Act.</p> |
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(No. 97.)

An Act to authorize and require the Inferior Court of Chatham county, to levy and collect an extraordinary tax for certain purposes therein mentioned.

1. SECTION I. *Be it enacted, &c.*, That the Inferior Court of the county of Chatham, or any three Justices of said Court, be, and they are hereby authorized and required, to levy immediately after the passage of this Act, an extraordinary tax upon the inhabitants

Extra tax in Chatham county.

Amount of
extra tax.

of said county, (over and above the State and county tax,) upon the tax digest of the present year, and each succeeding year, not to exceed the sum of ten thousand dollars each and every year, for the space of three years; which said tax shall be collected by the Tax Collector of said county, and shall be paid over, when collected by said Collector, to the Justices of the Inferior Court of Chatham county, to be by them applied to the purpose hereinafter set forth; provided, that should the existing war between the Confederate States and the United States end sooner than the term of three years above mentioned, the collection of said tax shall thenceforth cease.

Am't raised to
be used in
paying house
rent of fami-
lies of indi-
gent soldiers
in service.

Proviso.

2. SEC. II. *And be it enacted by the authority of the same,* That when the said sum of ten thousand dollars shall have been collected each year, and paid over to the Inferior Court as aforesaid, the said Court shall appropriate the same, or so much thereof as, may be necessary, to the payment of house rents of the indigent families of soldiers in the Confederate army, resident in the county of Chatham; *provided*, that no rent shall be paid which shall exceed the sum of eight dollars and thirty-three cents per month.

Compensa-
tion of Tax
Collector and
Clk Inf. Ct
for additional
services un-
der this act.

3. SEC. III. The Tax Collector of said county of Chatham shall receive two per centum for collecting the above tax; and the Clerk of the Inferior Court of Chatham county one per centum for receiving, and one per centum for paying out, the said sum of money collected by the above tax, according to the direction of said Inferior Court.

Assented to Nov. 18, 1863. •

RESOLUTIONS

ADOPTED BY

THE GENERAL ASSEMBLY

OF THE

STATE OF GEORGIA,

AT AN

ANNUAL SESSION IN 1863.

COMPLIMENTARY.

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| No. 1. Expressive of confidence in the President, and gratitude for his services. Gov. to transmit copies. | " 2. Thanks to General Bragg and his army. |
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FASTING AND PRAYER.

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| No. 3. Setting apart a day for fasting and prayer. | 4. Sermons of Ministers requested for publication. |
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IMPRESSMENTS.

- No. 5. Requesting that citizens of their respective counties in the State, not liable to conscription, be appointed Impressing Officers.

MAIL ROUTES.

- | | |
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| No. 6. Certain mail route recommended. | No. 9. Certain mail route recommended. |
| " 7. " " " " | " 10. " " " " |
| " 8. " " " " | |

MILITARY AND CIVIL OFFICERS.

- No. 11. Civil and Military officers of the State, exempt from conscription.

PROSECUTION OF THE WAR.

- No. 12. War to be prosecuted with vigor. Copies to be transmitted.

Confidence in President Davis.

SOLDIERS AND SOLDIERS FAMILIES.

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| No. 13. Requesting relief of indigent families of soldiers from Tax in Kind.
" 14. Recommending free transportation of soldiers on furlough.
" 15. As to pay of detailed volunteers. | No. 16. Requesting Congress to pass laws allowing volunteers to elect their own Field and Company Officers.
" 17. Increase pay to privates and non-commissioned officers recommended |
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SUPPLIES AND PROVISIONS.

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| No. 18. Supplies of provisions and transportation to be furnished certain counties, on conditions.
" 19. Spun yarns to be furnished soldier's | families in counties unsupplied.
" 20. The pro-rata of each county, to be furnished without reference to price of yarns. |
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TAXES.

- | | |
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| No. 21. Requesting appointment of citizens in their respective counties to collect tax in kind.
" 22. Purchase of tax in kind in certain counties recommended.
" 23. Suspension of the Act as to tax in kind recommended in certain cases. | No. 24. Joint Committee on Finance requested to report an tax act embracing the ad valorem and net income principles.
" 25. Increase of Depots on lines of Rail Road recommended, to receive tax in kind.
" 26. Tax payers to make returns of number of sheep and dogs owned. |
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TROPHIES.

- No. 27. Acknowledgement of battle flags, and how disposed of.

VOLUNTEER NAVY.

- No. 28. Volunteer Navy encouraged.

WESTERN AND A. R. ROAD.

- | | |
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| No. 29. Committee appointed to investigate condition. | No. 30. Certain books to be furnished Auditor.
" 31. Relative to passage and freights. |
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MISCELLANEOUS.

- | | |
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| No. 32. Respect for the services and memory of Capt. T. G. Raven.
" 33. Consolidation of certain standing committees.
" 34. Consolidation of certain standing committees. | No. 35. Appointment of Committee of Conference on Militia Bill.
" 36. Changes in Code to be arranged in an Appendix. |
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(No. 1.)

A resolution expressive of unabated confidence in the ability, devotion and enlightened patriotism of the President of the Confederate States.

Preamble.

WHEREAS, His Excellency, Jefferson Davis, President of the Confederate States, for his unselfish patriotism, and untiring devotion to the interests of the whole country, in this trying period of our country's history, is entitled to the gratitude of the people, and the commendation of every enlightened patriot. Therefore, be it,

Resolved, by the Senate and House of Representatives in General As-

Thanks to Gen. Bragg—Fasting and prayer.

sembly met, That the State of Georgia, fully appreciating the onerous trials and arduous duties devolving upon the Chief Magistrate of the Confederate States; and realizing his patriotic devotion to the whole country, and his self-denying sacrifices; tender to him the assurances of unabated confidence, and an unalterable determination to sustain him in his efforts to conquer an honorable peace, and maintain the liberties of the nation.

Resolved, That His Excellency the Governor, be requested to transmit to His Excellency the President, a copy of the foregoing preamble and resolutions.

Approved Nov. 24. 1863.

(No. 2.)

The General Assembly of Georgia do resolve, That acting for and in behalf of the people of the State, we hereby tender our sincere and grateful thanks to General Braxton Bragg, and the officers and soldiers of his entire command, including each and every one of their gallant countrymen, by whom they have been from time to time reinforced, for the highly meritorious services they have rendered to the Confederacy, and especially in guarding the approaches to Georgia; and for the brilliant victory which they achieved over the Federal army at Chickamauga. Of this great army it may well be said, that their patience has only been equalled by their courage. It is difficult to say which should be most admired in the history of its campaigns—that Fabian strategy, sustained by patient, brave endurance, which avoided general engagements until all things were ready—or the chivalric valor which carried the tide of battle against the stubborn invaders of our soil.

Resolved further, That the Governor be requested to transmit a copy of these resolutions to General Bragg, in order that they may be communicated to the Army.

Approved Nov. 11, 1863.

(No. 3.)

Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, That in view of our national calamity and distress, it is the solemn duty of all the people of these Confederate States to humble themselves before God, and with penitence for our past sins, national, social and individual; and with an honest, earnest desire to obey His laws; implore through the merits of our Saviour, His forgiveness, and plead for wisdom to guide us; Therefore be it,

Resolved, That we cordially concur in the recommendation of His Excellency Joseph E. Brown, Governor of this State, that Thursday, the 10th day of December next, be, and said day is hereby set apart, as a day of fasting, humiliation and prayer; that

Drs. Higgins and Marshall—Impressing Officers—Mail Route.

the Congress of the Confederate States, the Legislatures of the different States, our army and Navy, and all the people, be, and are hereby respectfully requested, to unite with us, in a strict observance of the day.

Approved Nov. 17, 1863.

(No. 4.)

A Resolution to appoint a joint committee to secure copies of the sermons delivered by the Rev. Drs. Higgins and Marshall, on fast day,

Manuscript sermons of Drs. Marshall and Higgins requested for publication.

To be paid from contingent fund.

Resolved by the General Assembly, That the joint committee appointed to make arrangements for the observance of fast day, be requested to wait on the Rev. Drs. Higgins and Marshall, and ask of them the manuscript sermons delivered by them on Thursday last; and that two thousand copies of the same, be printed for the use of the General Assembly; and that they be printed within two weeks, and that the expenses of the same be paid for out of the contingent fund, by the Governor.

Assented to Dec. 14, 1863.

(No. 5.)

A Resolution to revoke the appointment of Impressment officers, and appoint citizens in their stead.

WHEREAS, The impressment law, passed by the Congress of the Confederate States, has been greatly perverted and violated by the impressing officers, and those professing to be; by reason of which many of the citizens of this State have been greatly harrassed, defrauded, and willfully wronged, Therefore,

Sec'y of War requested to revoke all appointments of impressing officers, and have only responsible citizens of each county, not liable to conscription.

Be it resolved by the General Assembly convened, That the Secretary of War, be, and he is most respectfully requested, to revoke the appointment of all the impressing officers of this State liable to conscription, and to have appointed in their place and stead, in counties where it may be necessary to make impressments to feed and support our gallant armies, one or more responsible citizens, not liable to military duty, residing in the counties respectively.

Copy resolutions to be furnished Sec'y of War and members of Congress.

Resolved further; That His Excellency the Governor be requested to forward a copy of these resolutions to the Secretary of War immediately, and to furnish each of our Senators and Representatives in Congress with a copy of the same.

Approved Nov. 23, 1863.

(No. 6.)

WHEREAS, There is no regular Mail route in the county of Charlton, and in consequence thereof the citizens of said county, are almost entirely destitute of Mails. And whereas, the soldiers,

in the army from said county, could communicate with their families regularly, if said route was established.

Be it therefore resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That our Senators and Representatives in the Confederate Congress, be requested to use their influence to have a Mail route established from No. 9, Atlantic and Gulf Road, twice a week, going and returning, by way of Center Village, to Traders Hill, Charlton county, Georgia.—Thence by way of Howardville, to Baldwin in the State of Florida.

Rep.'s in Congress to have mail route established.

Assented to Nov. 12, 1863.

(No. 7.)

Resolution to establish a Mail route between Clarksville and Dahlonega, by way of Blue Creek and Cleveland; and from Athens, Georgia, to Auburn, in Gwinnett county, via Jug Factory in Jackson county, and G. W. Smith's Store, in Walton county.

WHEREAS, It is important to the public welfare, that a line of Mail communication be established between Clarksville, and Dahlonega, Georgia, by way of Blue Creek, and Cleveland; and from Athens, Georgia, to Auburn, in Gwinnett county, via. Jug Factory, in Jackson county, and G. W. Smith's Store, in Walton county;

Therefore, be it resolved by the Senate and House of Representatives of the State of Georgia, That our Senators and Representatives in the Confederate Congress, be, and they are hereby respectfully requested to use their influence, in obtaining the establishment of said Mail communication.—That a copy of this resolution be furnished to the Honorable Hardy Strickland, Representative of the Ninth Congressional District of Georgia.

Senators and Reps. in Congress requested to procure mail route from Clarksville to Dahlonega, &c.

Assented to, Nov, 30th, 1863.

(No. 8.)

A Resolution requesting the establishment of a certain Mail route in this State.

WHEREAS, The Mail route leading from Douglass, in Coffee county, to Forest, in Clinch county, of this State, has been changed, to the great inconvenience of a large portion of the people of those counties;

Therefore, be it resolved by the Senate and House of Representatives in General Assembly met, That our members in Congress, be requested to use their influence to have a Mail route established, running from Douglass, in Coffee county, to Forest, in Clinch county, in this State,—and to establish a Post Office at Overstreet's Mills; also, a Post Office at Guest's Mills;—both of which are directly on said route.

Members of Congress requested to procure mail route from Douglass, Coffee Co., to Forest, Clinch Co., and have established certain post offices.

Assented to, Dec. 14th, 1863.

(No. 9.)

A Resolution to request the establishment of a Mail route, and for other purposes.

WHEREAS, There is no Mail route established from Number Five, Atlantic and Gulf Rail Road, to Ocmulgee Mills, in Coffee county; and whereas, it is highly essential to the citizens in that part of the county, through which said proposed route will pass, that the same be established. *Therefore,*

Senators and
Reps. in Congress
requested to procure
weekly mail
route from
No. 5 A. & G.
R. R. to Ocmulgee,
Coffee Co., by
way of Middletown Store
in Appling Co

Be it resolved by the General Assembly of the State of Georgia, That our Senators and Representatives in Congress, be requested to use their influence to have a Mail route established, going and returning once a week, from Number Five, Atlantic and Gulf Rail Road, to Middletown Store, in Appling county,—thence running to Ocmulgee, Coffee county, Georgia.

Assented to, Dec. 12, 1863.

(No. 10.)

A Resolution requesting the establishment of a certain Mail line, in this State.

Senators and
Reps. in Congress
requested to procure
a mail route
between Milltown
and Nashville, in
Berrien Co.

Resolved by the Senate and House of Representatives in General Assembly met, That our Senators and Representatives in Congress, be instructed and requested, to use their influence to procure the establishment of a Semi-weekly Mail route between Milltown and Nashville, in the county of Berrien of this State, to connect with the Semi-weekly Mail from Naylor, to Milltown.

Assented to, Dec. 11, 1863.

(No. 11.)

Declares all
civil and military
officers of State
exempt from
conscription.

Resolved, by the General Assembly of the State of Georgia, In response to the law of the Confederate Congress, inviting the several States to specify what State officers shall be exempt from Conscription; That all Civil and Military officers of this State, shall be so exempt.

Assented to, Dec. 14, 1863.

(No. 12.)

Resolutions expressive of the determination of Georgia to prosecute the present war with the utmost vigor and energy.

WHEREAS, At a session of the General Assembly of the State of Georgia, in the year 1861, the following resolutions were adopted: "Resolved, That it is the sense of this General Assembly, that

the separation of those States now forming the Confederate States of America, from the United States, is, and ought to be, final and irrevocable; and that Georgia will, under no circumstances, entertain any proposition from any quarter, which may have for its object a restoration or reconstruction of the late Union, on any terms or conditions whatever."

Resolutions
of Dec. 11th,
1861, recited.

"*Resolved*, That the war which the United States are waging upon the Confederate States, should be met on our part, with the utmost vigor and energy, until our independence and nationality are unconditionally acknowledged by the United States."

"*Resolved*, That Georgia pledges herself to her sister States of the Confederacy, that she will stand by them throughout the struggle; she will contribute all the means which her resources will supply, so far as the same may be necessary to the support of the common cause; and will not consent to lay down arms until peace is established on the basis of the foregoing resolutions."*

Whereas, The enunciation of said resolutions is as truly expressive of the position of Georgia to-day, as at the time of their adoption, and *whereas*, the meeting of another General Assembly of the State, after a lapse of two years more of struggle for independence, presents an occasion peculiarly appropriate to the renewal of these declarations; and that the world may know that Georgia does not tire of the war until her purpose is accomplished, nor abate any thing of the spirit and determination manifested by said resolutions. Therefore,

Preamble.

Resolved, That this Senate and House of Representatives, in General Assembly met, with a fixed and unalterable purpose to stand by them, do re-affirm and re-adopt said resolutions in their letter and spirit.

The foregoing
resolutions re-
affirmed and
re-adopted.

Resolved further, That the Governor cause copies of these resolutions to be transmitted to the President of the Confederate States, and the Governors of the several States of the Confederacy, and also to the President of the Senate and Speaker of the House of Representatives of the Confederate Congress, with the request that they cause said resolutions to be read before their respective bodies.

Copies to be
transmitted
by Gov.

Approved Nov. 24, 1863.

*See Pam. Act 1861, P. 136.

(No. 13.)

A Resolution requesting the action of Congress for the relief of indigent soldiers' families.

WHEREAS, Many families have been left destitute of the means of support, by the absence of the male laboring portion of said families, in the army of the Confederate States; Therefore,

Resolved by the Senate and House of Representatives of the State of Georgia, That our Senators and Representatives in Congress, be requested, to take such measures, as will cause the collectors of

Soldiers on furlough—Detailed soldiers—Field and company officers.

Members in Congress from Ga. requested to have the families of soldiers relieved from the "tax in kind."

the "*tax in kind*" for the Confederate Government, to release to the Justices of Inferior Courts of the counties of this State, upon their application, so much of the said "*tax in kind*" of the county in which the Justices making the application reside, as will in their, the said Justices opinion, be necessary for the support of the destitute or indigent soldiers families of their county.

Approved Nov. 16, 1863.

(No. 14.)

Resolutions granting free transportation to soldiers on furlough.

Our members in Congress requested to procure an act for free transportation of furloughed soldiers.

Resolved by the General Assembly of Georgia, That our Senators and Representatives in Congress be requested to procure the passage of an act, granting free transportation to all private soldiers in the Confederate service, on furlough from their respective commands, to their homes; and to return to their commands, in the same manner, that free transportation is now granted to soldiers on sick furlough.

Approved Nov. 26, 1863.

(No. 15.)

WHEREAS, Under existing laws of our Confederate Congress, there is a discrimination made in the per diem pay of detailed volunteers, whereby volunteer soldiery receive a smaller remuneration than other detailed persons: Therefore be it,

Pay of detailed soldiers.

Resolved, That our Representatives in Congress, be, and they are hereby requested, to introduce and favor the passage of a law giving our detailed soldiers the same pay, as other persons employed by the Government in the same business.

Reps. in Congress instructed.

Second. Be it further resolved, That a copy of these resolutions be forwarded to each of our Representatives in Congress, who are requested to urge the passage of a law favoring the objects herein above contemplated.

Assented to Dec. 14, 1863.

(No. 16.)

Resolutions requesting Congress to pass laws allowing our volunteers to elect their own field and company officers.

Reps. in Congress from Ga. requested to urge the passage of a law, allowing volunteers to elect their field and company officers.

Resolved by the General Assembly of the State of Georgia, That, believing it to be the Constitutional right of all soldiers who went from Georgia, through the agency of the State, to elect their regimental, battalion and company officers, we request our Representatives in Congress, as a proper appreciation of the patriotic devotion, patience and toil of our gallant soldiers in this sanguinary

Pay of privates and non-commissioned officers—Provisions for certain counties.

struggle for independence, to use their zealous efforts to procure, at the earliest practicable day, such a change in existing Confederate laws, as shall secure the right of all regiments, battalions and companies in the Confederate service from this State, to elect all their regimental, battalion and company officers.

Resolved 2d, That His Excellency the Governor, is hereby requested to furnish a copy of this resolution to each of our Senators and Representatives in Congress.

Copy resolution to be forwarded by the Governor.

Approved Dec. 14, 1863.

(No. 17.)

A Resolution to increase the pay of privates and non-commissioned officers in the Confederate service.

Resolved by the Senate and House of Representatives, That our Senators and Representatives in Congress, be requested, to use their influence to increase the pay of privates and non-commissioned officers in the Confederate service.

Our Reps. in Congress requested to increase pay to privates and non-commissioned officers in service.

Assented to Dec. 14, 1863.

(No. 18.)

Resolutions to provide for supplying certain counties in this State with provisions.

WHEREAS, The supplies of provisions in the counties of Catoosa, Chattooga, Walker, Dade, Whitfield and Murray, have been nearly entirely consumed by the enemy and our own army; and in many instances the owner has been deprived of his entire stock of provisions without any sort of compensation, and the people of these counties being left thus destitute, and being deprived of the means of transportation, must suffer, if not aided by our State Government;

Preamble.

Be it therefore resolved by the General Assembly of Georgia, That the Superintendent of the Western and Atlantic Rail Road be required to transport supplies of provisions to the people of said counties, free of charge; that the Superintendent of said road be required to send such trains of cars as may be necessary, to points on Rail Roads in this State, where supplies of provisions can be procured, for the purpose of shipping provisions to the people of said counties, *Provided*, other Rail Roads over which such shipments are to be made, cannot or do not ship said supplies immediately on application; *provided further*, that before such shipments are made, the person desiring to ship shall file his affidavit in the office of said Superintendent, that said article or articles to be shipped as aforesaid, are for his or her own use, and not for sale or speculation; and that an agent filing such affidavit shall insert the name of each of his principals in said affidavit, that the said provisions are for the use of said principal and not for speculation or sale.

State to furnish transportation of supplies to above named counties free of charge.

State to furnish cars.

Affidavits of beneficiaries or agents to be filed.

Spun yarn for soldiers' families.

Gen'l Bragg
requested to
co-operate.

Resolved, That His Excellency the Governor, be, and he is hereby requested to call the attention of Gen. Bragg, to the destitute condition of said counties, and request of him to release from the control of the Confederate Government, cars and engines sufficient to transport all supplies contemplated, in the foregoing resolutions.

Assented to Nov. 33, 1863.

(No. 19.)

WHEREAS, a Resolution was assented to by His Excellency Governor, on the 15th of April, 1863, authorizing the Governor, to take a portion of the money set apart by law, for the support of indigent families of the soldiers of this State, to purchase spun yarn from the different factories of this State, to be turned over to the Inferior Courts, to be distributed by them to each of the families of soldiers as are destitute of the means of supplying themselves, or their families with clothing; and that the Inferior Courts be required to notify his Excellency the Governor, by the 15th of June, 1863, the amount necessary for the purpose; and whereas, the Inferior Court of Muscogee county did notify his Excellency the Governor, within the time prescribed, that there were two hundred and fifty such families in that county; therefore,

Muscogee and
other counties
not supplied
with spun
yarns, to have
their pro rata
share for indig-
ent families
of soldiers.Deficit of
funds how
provided for.

Be it resolved, That his Excellency the Governor instruct the Quartermaster General to distribute the same pro rata amount of spun yarn to Muscogee county, and other counties that have not been supplied, at the same price, that he has already distributed it to a greater portion of the counties of the State; and that if he has not already purchased a sufficient quantity of yarns at prices furnished to other counties, and has now to pay the factories higher prices than that paid for yarn already distributed to other counties, the additional or enhanced price be paid out of the balance of the \$2,500,000 fund, which by the report of the Comptroller General, appears from causes stated, not appropriated.

Assented to Nov. 18th, 1863.

(No. 20.)

Spun yarn to
be furnished
to counties
not supplied
at same rates
as to those
furnished.

WHEREAS, under the law authorizing the distribution of spun yarn to soldiers' families in the several counties of this State, the Government has been able to furnish those conveniently situated and first applying, at six dollars per bunch; and whereas, the price of said yarn has now risen to eight dollars and upwards; *Now therefore be it resolved by the General Assembly*, That the Governor is hereby authorized to furnish the counties not yet supplied, with the yarn apportioned to each, at six dollars per bunch, thereby doing equal justice to all.

Assented to Nov. 23d, 1863.

The tax in kind.

(No. 21.)

WHEREAS, those having charge of the collection of the tax in kind in the several counties in Georgia, have, in many instances, appointed officers for this purpose from other States, who are unacquainted with the people, and are strangers to the respective localities to which they have been assigned, and are therefore liable to imposition; and in many cases, have been guilty of gross injustice and oppression;

Therefore, be it resolved by the General Assembly of Georgia, That our Senators be instructed, and our Representatives be requested, to procure such a change in the tax law, as will require that respectable citizens residing in the several counties, not liable to conscription, who are well acquainted with the people, and who may be qualified for the discharge of such duty, be appointed to collect the said tax in kind.

Senators and Reps. in Congress from Georgia requested to procure change in impressing officers, so that reliable citizens of each county, not liable to conscription, may act.

Resolved further, That his Excellency the Governor be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

Copy resolutions to be forwarded.

Approved Dec. 1, 1863.

(No. 22.)

WHEREAS, the Confederate Congress made provision to commute the tax in kind, in such locations as were remote from Railroad or other facilities of transportation, to payment in money; and whereas, the county of Carroll has furnished most of her available laboring population to the Confederate army, thereby diminishing the means of support; and whereas, the crop in said county this year has been unusually short, and the families of a great many soldiers likely to suffer, in case the tax in kind is removed by the Confederate government, their means of transportation from other sections being curtailed, on account of their oxen, horses and mules being impressed, or otherwise taken for the use of the government;

Resolved by the General Assembly, That the Governor be requested to confer with the Confederate authorities, and through the Inferior Courts, purchase is possible, the tax in kind, or so much thereof as may be necessary, to supply the necessities of indigent families of soldiers in the county of Carroll, and all other counties alike situated, where the failure in the crops has rendered it necessary; provided, that whatever amount may be advanced to the several counties for the purchase of said tenth, shall be deducted from the pro rata share of said counties in the funds which may be appropriated for the support of indigent soldiers and their families, and shall not exceed the pro rata share to which said counties may be entitled.

Gov. requested to confer with Confed. authorities as to purchase by Inf. Court of tithings due from Carroll Co., &c. Proviso.

Approved Nov. 18, 1863.

Tax in kind, &c.

(No. 23.)

WHEREAS, there are many localities in the State of Georgia, where the citizens have been stripped of nearly every species of personal property by the enemy, or the agents or pretended agents of the Confederate government, and left without the means of paying their Confederate tax, and especially the "tax in kind;" for the tenth has not been left them.

Gov. requested to urge suspension of collection of tax in kind in localities where property has been destroyed by the enemy or Confed. troops.

Be it therefore resolved, That the Governor of this State be requested to use his utmost exertions with the President and Secretary of War, to have the collection of the "tax in kind" suspended, in all cases where the citizens' crop, out of which his tax was to be paid, has been taken by the enemy, or by our army or officers; and that the collection of all Confederate tax be suspended in cases where the property of the citizens has been taken by Confederate soldiers or officers, without compensation, until such compensation is paid.

Gov. to call attention of members in Congress to this matter.

Be it therefore resolved, That in case the President or Secretary of War fail to grant the relief above mentioned, that the Governor be requested to call the attention of our Senators and Representatives in Congress to this matter, and to use all lawful means to protect the citizens against wrong and injustice.

Approved Nov. 18, 1863.

(No. 24.)

A resolution in relation to State taxation.

Preamble.

WHEREAS, a state of war greatly deranges the natural and legitimate order of things, so that while some persons are suddenly enriched by large incomes to their wealth arising from this disorder, others without any fault of their own, are as suddenly and as much impoverished; and whereas, this is found unhappily to be the case in the disordered state of affairs growing out of the present war; and whereas, it is incompatible with the best interests of the State, and equally inconsistent with good faith, that one portion of the citizens of the State should make the calamities of others engaged with them in a common cause, and involved in the same peril, the occasion of their enrichment; and it is an important object of legislation to equalize these differences, as far as may be practicable, by casting the burdens of the war mainly on those who make a profit of it; and whereas, the subject of taxation presents the readiest and most available means of accomplishing this object;

Joint Finance Com. recommended to report a system of taxation combining the advantages and net income principles.

Therefore resolved by the Senate and House of Representatives of the State of Georgia, That the Finance Committee of the Senate and House of Representatives be instructed to act as a joint committee on Finance; and take into consideration the whole subject of taxation by the State, with the view of raising revenue for the sup-

Depôts for tax in kind—Number of sheep and dogs,

port of the government; and for the payment of the public debt; and for providing for the common defence, by the adoption by the State of such a system of taxation for the purposes aforesaid, as shall combine the *ad valorem* system with the *net income* system, in such a way, as that taxation shall be based mainly on net income or profits realized during the war; and to report by an appropriate bill to secure this object, to the House of Representatives where alone such bills can originate.

Assented to Dec. 11, 1863.

(No. 25.)

Resolution in relation to the Tax Act of Congress.

WHEREAS, the establishment of as many Depôts for the delivery of the tax in kind as is practicable, would, in the judgment of this General Assembly, greatly conduce to the convenience of producers, and at the same time subserve the best interests of the government; it is therefore,

Resolved, That we respectfully request our Senators and Representatives to urge upon Congress the propriety, of so modifying the law, (if necessary), as to authorize and require the establishment of Depôts for the delivery of tax in kind at every depot on the lines of Railroad in the Confederate States, except at such as are manifestly unnecessary in the judgment of the District Quarter Master.

Recommends
increase of
depôts for tax
in kind on
line of Rail-
roads.

Resolved 2d, That his Excellency the Governor be requested to furnish our Senators and Representatives in Congress a copy of these resolutions.

Copy resolu-
tions to be fur-
nished mem-
bers of Con-
gress.

Assented to Dec. 14, 1863.

(No. 26.)

Resolution requiring tax payers to make returns of the number of sheep and dogs owned by each tax payer.

WHEREAS, it is highly important to the interest of the citizens of this State, to be informed as to its present condition and future prospects with regard to a supply of wool, and as to the best means of increasing the same;

Be it therefore resolved, That it shall be the duty of the Tax Receiver in the several counties of this State, when they take in the returns of tax payers in their respective counties, to require all tax payers to make a return of the number of sheep which they may own at the time of giving in; also the number of sheep which they may have had killed by dogs, within one year previous thereto; also the number of dogs owned by them or on their premises.

Tax-payers to
give in num-
ber of sheep
owned; how
many killed
by dogs, &c.

Assented to Dec. 14, 1863.

(No. 27.)

Resolutions relative to the disposition of certain Battle Flags.

WHEREAS, we have learned through a message of his Excellency the Governor, that the following flags have been forwarded to the State of Georgia, to-wit: the battle flag of the 4th Georgia Regiment; the battle flag of the 14th Georgia Regiment; the battle flag of the 20th Georgia Regiment; the battle flag of the 26th Georgia Regiment; the battle flag of the 12th Georgia Battalion; also, a Federal battery flag, captured with the guns of the enemy, at the battle of Chancellorsville, by the 4th Georgia Regiment; and two battery flags captured at the battle of Gettysburg, by General Doles' Brigade of Georgians;

Acknowledgment of battle flags received.

Complimentary notices of our troops forwarding them.

Adj. & Ins. Gen. to arrange them in the Capitol.

Therefore be it resolved by the General Assembly, That the State of Georgia accepts with just pride, these evidences of the courage and patriotism of her sons, illustrated in a cause involving every principle of right, interest, or honor, dear to the hearts of freemen.

Resolved 2d, That the Adjutant and Inspector General be directed, under the supervision of the Governor, to arrange said flags in some conspicuous place in the Capitol building, where they may forever remain, a public testimonial of Georgia's appreciation of gallant and heroic deeds, and a public incentive to her children of future generations, to emulate great and noble examples.

Similar disposition to be made of others which may be sent.

Resolved 3d, That the Adjutant and Inspector General be directed to make a similar disposition of all such flags as may have been heretofore, or may hereafter, be received by the State.

Approved Dec. 11, 1863.

(No. 28.)

Resolution in reference to a Volunteer Navy.

Resolved by the General Assembly of Georgia, That the Committee on the State of the Republic, are hereby instructed to consider what action it may be prudent and proper for the authorities of Georgia to take, for the encouragement of the organization of a Volunteer Navy, for the service of the Confederacy, and to increase the number of vessels and seamen engaged in the Naval service; and to report by bill or otherwise, as early as practicable upon the subject.

As to a volunteer navy.

Assented to Dec. 11, 1863.

(No. 29.)

Resolution for the appointment of a committee to investigate the condition and management of the Western and Atlantic Rail Road.

Resolved by the General Assembly of Georgia, That a joint commit-

tee of three, from the House, and two from the Senate, be appointed, who shall proceed at an early day to investigate the condition and management of the Western and Atlantic Rail Road, with authority to examine the affairs of the said road, and enquire as to whether or not any abuses or mismanagement exist, in any department; and it shall be the duty of the Superintendent and other officers and employees of said road, to assist the committee in arriving at a true estimate of the condition of the Road; the committee shall keep a record of their acts, and report the same to the General Assembly at the next session.

Assented to Dec. 12, 1863.

Joint committee appointed to investigate & report on the W. & A. Railroad.

(No. 30.)

A Resolution authorizing the Governor to furnish certain books to the Auditor of the Western and Atlantic Rail Road.

Resolved by the General Assembly, That His Excellency the Governor, be, and is hereby authorized, to furnish from the State Library, for the use of the Auditor's office of the Western and Atlantic Rail Road, one copy of the Code of Georgia, and the decisions of the Supreme Court of this State; should the aforesaid books not be in the State Library, then the Superintendent of said road be authorized to purchase them, under the direction of the Governor, and pay for the same out of the funds of the road.

Auditor of W. & A. R. R. to be furnished with Code of Ga. and Supreme Ct. decisions.

Assented to Dec. 12, 1863.

(No. 31.)

Resolutions relative to freights, passage, &c. on the Western and Atlantic Rail Road.

Resolved 1st, That the Governor, be, and he is hereby authorized, to raise the freights for Confederate transportation over the road, to one hundred per cent upon the rates fixed by the Augusta Convention; and to make such additional increase in future, as the increase of findings, repairs and supplies of the road may render necessary, Provided, that the freights and passenger rates charged the Confederate Government, shall at all times be twenty per cent less, than is charged to the citizens of this State, for freight or passage.

Gov. authorized to raise freights for Confederate transportation from time to time.

Proviso.

Resolved 2d, That the Confederate officers shall be permitted to load and unload their own freight; and to send a guard of a reasonable number with each freight train, free of charge, for transporting the guard; that freight lists shall be made out at the place of shipment by officers of the road, before the trains leave; and the road shall in no case be subject to pay for losses of Confederate freights shipped upon it.

Confed. officers allowed to load and unload their freight, &c.

Freight lists how made out.

Capt. T. G. Raven.

Power of Gov
to increase
rates of freight
and passage;
also, salaries
of officers.

Resolved 3d, That the Governor be authorized from time to time, to increase the general freight and passenger rates upon the road, to keep them as high as the freight and rates of passage on Company roads; and that he be authorized to make such increase in the compensation and salaries of employees and officers of the road, as may be reasonable and just, taking into the account the circumstances by which they are surrounded.

Copy to be
sent to Sec'y
of War, &c.

Resolved 4th, That the Governor transmit a copy of these resolutions to the Secretary of War, and one to our Assistant Adjutant General in charge of railroad transportation.

Approved Dec. 14, 1863.

(No. 32.)

Resolutions of respect for the memory of Captain T. G. Raven.

Respect for
the services
and memory
of Capt. T. G.
Raven.

Information has been received that Captain T. G. Raven, departed this life on the 10th instant, whilst on a visit at Milledgeville connected with his military duties. The facts fully authenticated, connected with the brief and honorable career of the deceased, merit from the State, an earnest tribute to his memory. Captain Raven was born in England, and was a graduate of the Military College at Addiscombe. Emigrating to America, he was married to a lady in Charleston, S. C., where he embarked and was engaged in commercial pursuits, at the beginning of the war. Without a formal transfer of allegiance, he generously espoused the cause of the South; and has, with unremitting industry and devotion, given to her the benefit of his labors and scientific training. He did creditable service in South Carolina, but learning the great need of engineers in Georgia, tendered his services to the authorities of this State. As one of the volunteer Staff of the Adjutant General, in the capacity of engineer, he has by his skill, energy and fidelity, secured honorable mention in the last report of that Officer; he has been suddenly stricken down by disease, contracted in the service of the State, in the very flush of his early manhood. It is for his family and friends to cherish the remembrance of his private virtues, whilst the State reverently pauses to make record of his disinterested zeal and active labors in her behalf; in view of the foregoing,

Resolutions.

Resolved by the General Assembly, That we have learned with unfeigned regret, the death of Captain T. G. Raven, and gratefully recognize his active and intelligent labors; so unselfishly bestowed for the defence of the State.

Resolved, That we tender our sincere condolence to the friends and family of the deceased, and request that a copy of the foregoing preamble and resolutions accompanying, be sent by the Governor to his bereaved widow.

Resolved, That in further evidence of our respect for the memo-

ry of the deceased, the General Assembly will adjourn this day at 12 o'clock, to attend his funeral from the Episcopal Church.

Assented to Dec. 12, 1863.

(No. 33.)

A Resolution to consolidate certain standing committees.

Resolved, That the standing committees on Internal improvement, on the Deaf and Dumb Asylum, on the Penitentiary, on Finance, and on the Lunatic Asylum, of the Senate and House of Representatives, be consolidated, and act as joint committees. Certain standing committees of the House and Senate consolidated.

Approved Nov. 24, 1863.

(No. 34.)

A Resolution to consolidate standing committees on Military affairs.

Resolved, That the Committees of the Senate and House of Representatives on military affairs, be consolidated, for the purpose of reorganizing the militia of the State of Georgia. Consolidation of standing committees on Military Affairs.

Assented to Nov. 24, 1863.

(No. 35.)

A Resolution in relation to the appointment of a committee of conference.

WHEREAS, A bill of the Senate, to be entitled, "an Act to reorganize the militia of this State," having passed the Senate, and also the House of Representatives, with numerous amendments, in many of which the Senate has refused to concur, and upon which the House insists; Therefore,

Resolved, That a free conference be asked by the Senate upon said bill, and the matter of disagreement between the two Houses; and that a committee of three be appointed by the President, to conduct such conference on the part of the Senate. Committee of conference on militia bill.

Assented to Dec. 12, 1863.

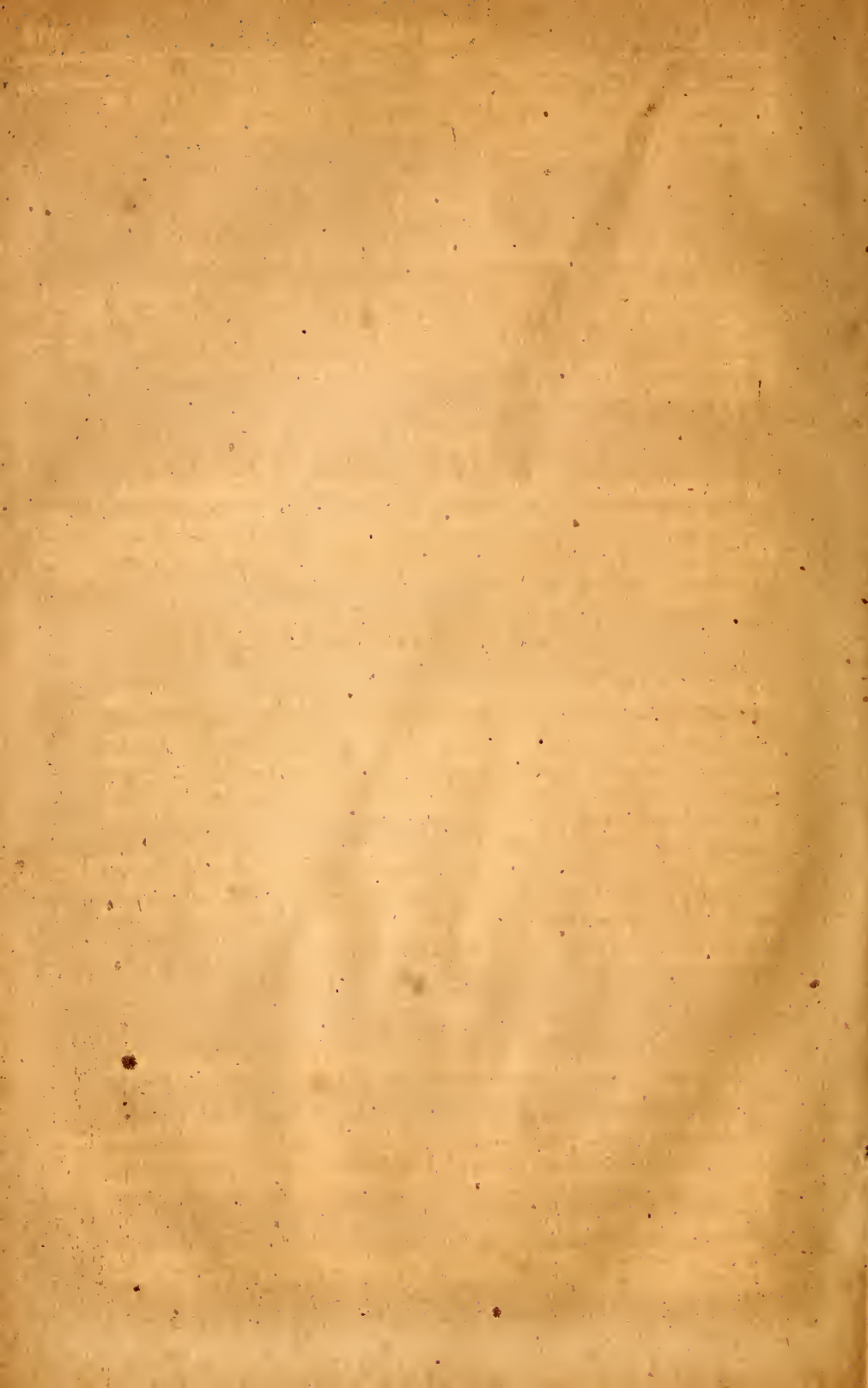
(No. 36.)

A Resolution in relation to the compilation of the laws of the present General Assembly.

Resolved by the Senate and House of Representatives, That the Compiler of the laws of the present General Assembly, be required to annex an appendix containing all laws changing the Code of Georgia.* Compiler of laws to add an appendix of changes in the Code.

Assented to Dec. 14, 1863.

*This Resolution was misplaced till too late to arrange an appendix, but all changes in the Code have been compiled under a separate heading, which will obviate any inconvenience of reference.—COMPILER.



ACTS
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF GEORGIA,
PASSED IN
MILLEDGEVILLE,
AT THE
CALLLED SESSION.

IN
MARCH 1864.

PUBLISHED BY AUTHORITY.

MILLEDGEVILLE :
BOUGHTON, NISBET, BARNES & MOORE, STATE PRINTERS.
1864.

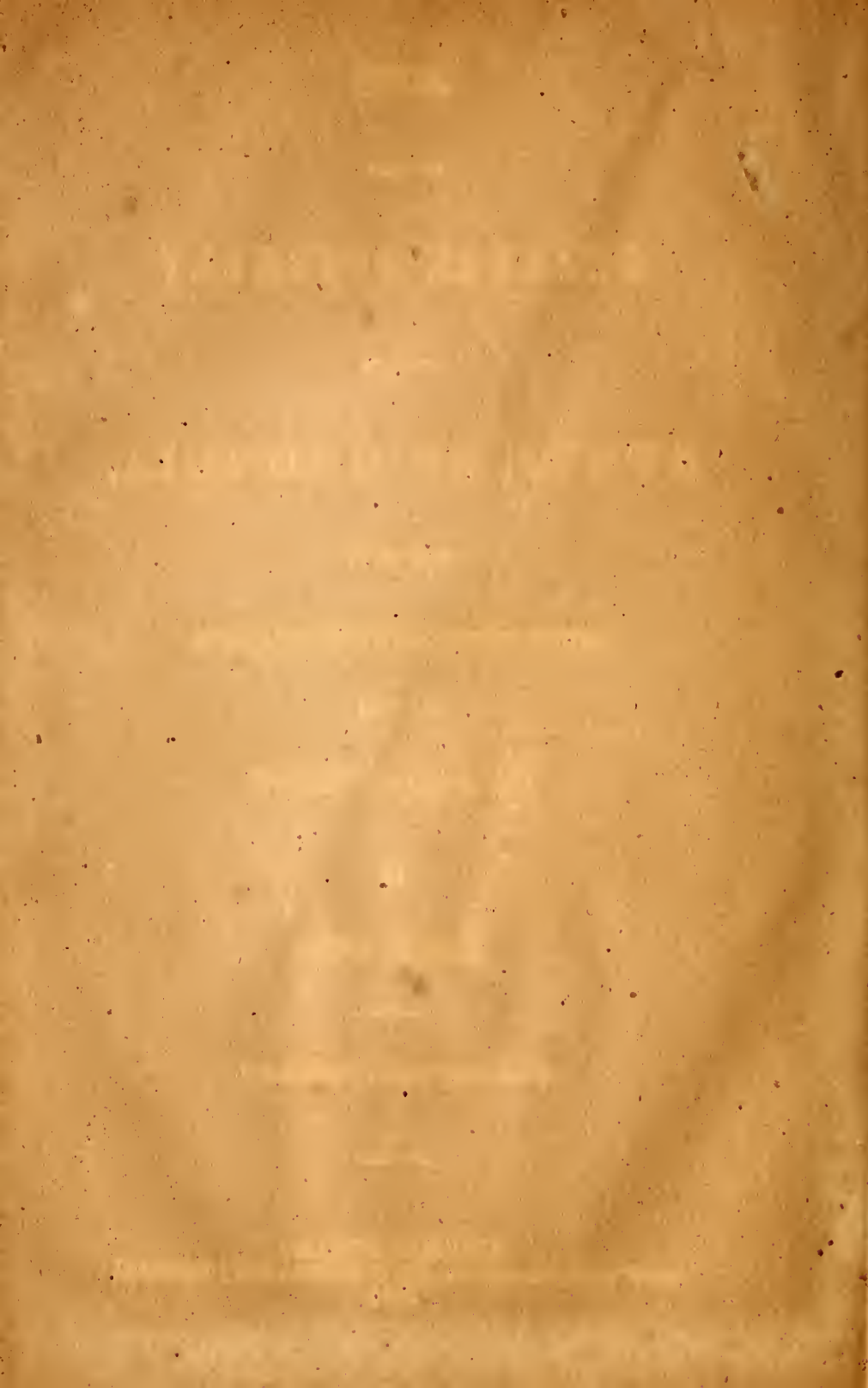
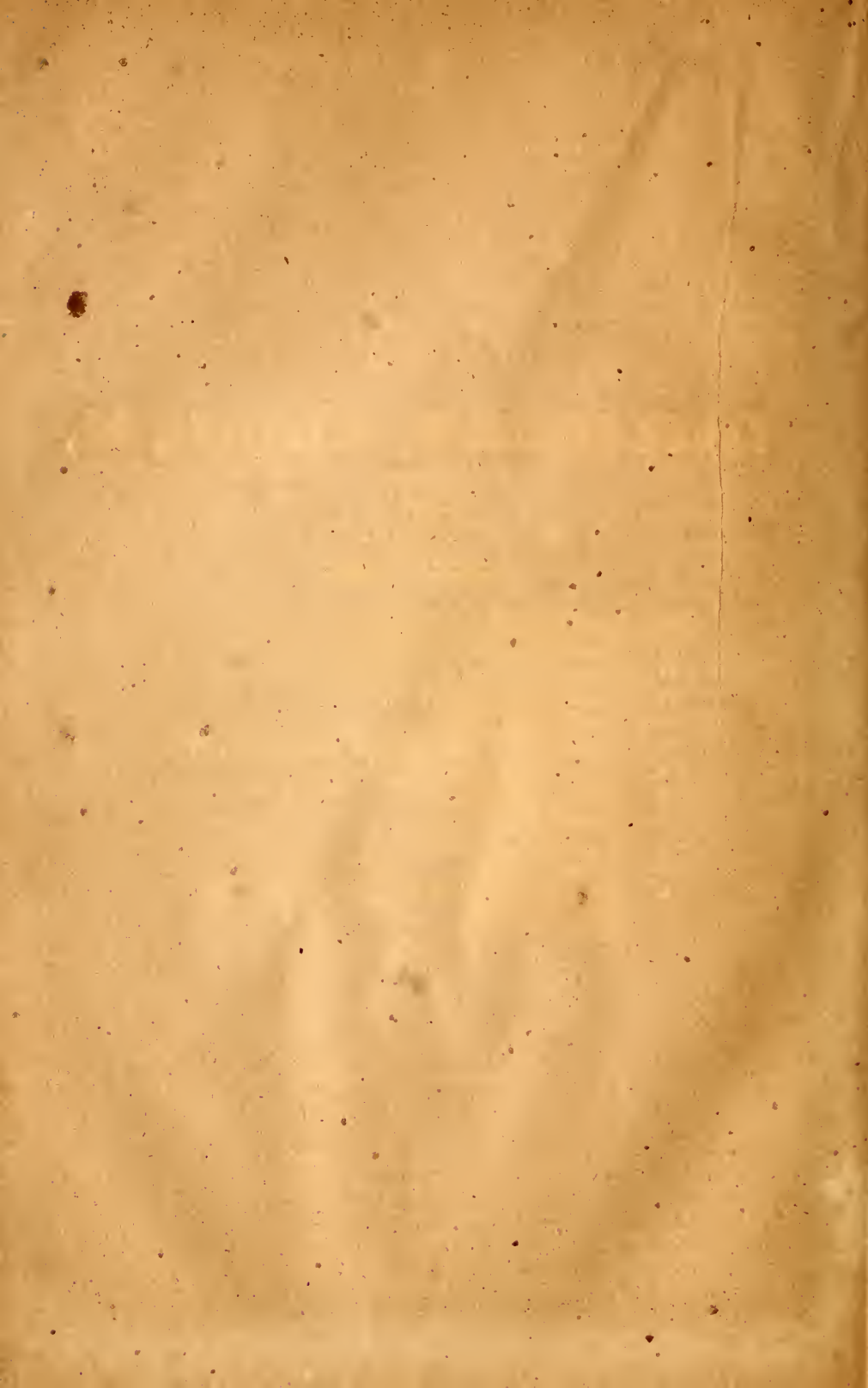


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“	III.—COUNTY OFFICERS.
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“	IX.—NAVY.
“	X.—RAIL ROADS.
“	XI.—RELIEF.
“	XII.—SUPREME COURT DECISIONS.
“	XIII.—TAXES.



STATUTES OF GEORGIA,

PASSED AT THE

EXTRA OR CALLED SESSION

IN

MARCH, 1864.

PART I.--PUBLIC LAWS.

TITLE I.

APPROPRIATIONS.

- | | |
|--|---|
| Sec. 1. Per diem of President of the Senate and Speaker of the House. Mileage Per diem and mileage of members. Proviso as to absence. | Sec. 4. Pay for Stationery, lights and fuel. Warrant, how drawn. |
| Sec. 2. Pay of Sec'y of Senate. Pay of Clerk of the House. All important papers to be filed previous to payment. Contingent expenses of Clerk and Secretary. | Sec. 5. Compensation of Page of the House. |
| Sec. 3. Per diem of Doorkeepers and Messengers of each branch. Mileage. Pay for servants hire. Per diem of Clerks of Finance and Judiciary Committees. | Sec. 6. \$15,000 for repair of Academy for Blind. One million dollars to purchase cotton cards. |
| | Sec. 7. For support of two mute girls at Cave Springs for 1864. |
| | Sec. 8. Pay for Chaplains of House and Senate. |

(No. 98.)

An Act supplemental to an Act, assented to December 14th, 1863, to provide for raising a revenue for the political year 1864, and to appropriate money for the support of the Government during said year; and to make certain special appropriations, and for other purposes.

I. SECTION I. *The General Assembly of the State of Georgia do enact, That the sum of ten dollars per day be paid to each the President of the Senate and Speaker of the House of Representatives, during the present extraordinary session of the General Assembly; and the sum of five dollars for every twenty miles of travel going to and returning from the seat of Government; the distance*

Per diem of President of Senate and Speaker of House.

Mileage.

Pay of Members, Sec'y of Senate, Clerk of House, Doorkeepers and Messengers, &c.

Per diem and mileage of members.

Provide as to absence.

Pay of Sec'y of Senate.

Clerk of the House.

All important papers to be first marked and filed.

Contingent expenses of Clerk and Secretary.

Per diem of Doorkeepers and Messengers of each branch.

Mileage.

Pay of servant hire.

Per diem of Clerks of Finance and Judiciary Committees.

Pay for stationery, lights and fuel.

Warrant, how drawn.

Compensation of Page of House.

to be computed by the nearest route usually traveled; and that the sum of six dollars each per day, be paid to the members of the General Assembly, during the present session, and five dollars for every twenty miles of travel going to and returning from the seat of Government, under the same rules which apply to the President of the Senate and Speaker of the House of Representatives: *Provided*, That no member of the General Assembly shall receive pay for the time he may be absent, unless his absence was caused by the sickness of himself or family, or he had leave of absence granted by the Senate or House for satisfactory reason, or after a member shall have obtained leave of absence for the remainder of the session.

2. SEC. II. *And be it further enacted*, That the Secretary of the Senate be paid eighty-seven dollars and fifty cents, per day, for the present session; and the Clerk of the House of Representatives be paid the sum of one hundred dollars per day, for the present session; out of which sums they shall pay all their assistants and sub Clerks: *Provided*, that no warrant shall be issued in favor of either, until His Excellency, the Governor, shall have satisfactory evidence, that they have carefully marked and filed away all reports of standing committees, and all other papers of importance, connected with either House; and the sum of twenty-five dollars or so much thereof as may be necessary, is hereby appropriated, each, to the Secretary of the Senate and Clerk of the House of Representatives, to defray the contingent expenses of their respective offices, at the present session of the General Assembly.

3. SEC. III. *And be it further enacted*, That the sum of six dollars, each, per day, is hereby appropriated to pay the Messengers and Doorkeepers of the Senate and House of Representatives at the present session, and the sum of five dollars for every twenty miles of travel, going to, and returning from, the seat of Government, the distance to be computed by the nearest route usually traveled; and the sum of two dollars per day, to be paid the Messengers and Doorkeepers of both the Senate and House of Representatives, to pay the negro hire of their respective houses; and the sum of ten dollars, per diem, each, be appropriated to pay the Clerks of the Finance and Judiciary Committees during the session.

4. SEC. IV. *Be it further enacted*, That the sum of five thousand six hundred and fifty dollars, or so much thereof as may be necessary, is hereby appropriated to pay for stationery, lights, and fuel, during the present extra session; and that the Governor be, and he is hereby authorized, to draw his warrant on the Treasury, in favor of N. C. Barnett, Secretary of State, for this purpose.

5. SEC. V. *Be it further enacted*, That the sum of four dollars per day, be paid to Iverson L. Hunter, the Page of the House of Representatives, during the present extra session of the General Assembly.

Code of Georgia amended.

6. SEC. VI. *And be it further enacted*, That the sum of fifteen thousand dollars be, and the same is hereby appropriated, to repair the buildings of the Academy for the Blind in the city of Macon; and the sum of one million of dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, for the purchase of cotton cards—the same to be disbursed in the mode and manner, suggested by his Excellency the Governor, in his special message of the 15th instant.

For repair of Academy for the Blind.

For purchase of cotton cards.

7. SEC. VII. *And be it further enacted*, That the sum of twelve hundred dollars be also appropriated for the clothing, support, and maintenance, for the present year, of two mute girls at the Deaf and Dumb Asylum at Cave Springs, who are left there, and who have no homes nor relatives to take care of them, to be drawn upon the warrant of the Governor.

Support of two mute girls for 1864.

8. SEC. VIII. *And be it further enacted*, That the sum of one hundred dollars be appropriated, to the payment of the Rev. Mr. Fulwood, Chaplain of the Senate; and the sum of one hundred dollars be appropriated to the payment of Rev. Mr. Flynn, Chaplain of the House of Representatives.

Pay for Chaplains of House and Senate.

Assented to March 19, 1864.

TITLE II.

CODE OF GEORGIA.

Sec. 1. Sec-1670 of Code amended, and additional grounds of Divorce prescribed.

(No 99.)

An Act to amend the 1670th section of the Code of Georgia.

1. SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, the following shall be good grounds for a total divorce in favor of any loyal female, a resident of the State of Georgia: 1st. That her husband is in the military service of the United States; 2d. That her husband has been, or is voluntarily within the lines of the enemy, furnishing them aid and comfort.

Sec. 1670 of Code amended, and new grounds of divorce prescribed.

SEC. II. Repeals conflicting laws.

Assented to March 18, 1864.

TITLE III.

COUNTY OFFICERS.

- Sec. 1. Bonds of Tax Receivers reduced and fixed. Duty of Comp. Gen. in sending out.
 " 2. Tax Collectors bond reduced and fixed. Duty of Comp. Gen. in sending out.
 Sec. 3. 146 Sec. of Code repealed.
 " 4. Time extended for County Officers to give their Bonds.

(No 100.)

An Act to reduce the bonds of Receivers of Tax Returns and Tax Collectors of this State, and to repeal so much of the one hundred and forty sixth section of the Code, as limits the securities on said bonds to the number of five.

Bonds of Tax
Receivers re-
duced and fix-
ed.

Duty of
Comp. Gen'l.

Tax Collec-
tors' bond re-
duced and
fixed.

Comp. Gen'l
duty.

146th sec. of
Code repeal-
ed.

1. SECTION I. *Be it enacted by the General Assembly of Georgia, That,* from and after the passage of this Act, all bonds hereafter taken from the Receivers of Tax Returns for the faithful discharge of their duties, shall be taken for half of the amount of the State tax, supposed to be due from the county, for the year in which said officers shall give bond; the amount of said bonds to be filled up by the Comptroller General before being sent out to the several counties from the Executive office.

2. SEC. II. *Be it further enacted, That* from and after the passage of this Act, all bonds hereafter taken from Tax Collectors, shall be taken for thirty-three and one third per cent more than the State tax, supposed to be due from the county, for the year for which said officer is required to give bond; the amount of said bonds to be filled up by the Comptroller General before being sent out to the several counties from the Executive office.

3. SEC. III. *Be it further enacted, That* the 146th section of the Code of Georgia, be amended by striking out the word five, and inserting ten, so as to make it read 'such bonds shall not be approved by the approving officers, unless they have at least two good and solvent sureties, and not more than ten.*

Approved March 17, 1864.

*See Code page 38, Sec. 146 which required not less than 2 nor more than 5 solvent sureties. This Act requires at least two, and as many as ten sureties are allowed, but no more.

(No. 101.)

An Act extending the time for county officers filing their bonds and taking out Commissions.

4. SECTION I. *The General Assembly of the State of Georgia do enact, That* the Sheriffs, Clerks of the Superior and Inferior Courts,

Ordinaries, Tax Collectors, Coroners, and County Surveyors of this State, be, and they are hereby allowed until the first day of June in each year, and Tax Receivers until the first day of April next, to take up their Commissions from the Inferior Courts, and to perfect their bonds; and that the provisions of this Act shall be applicable to said officers who were elected in January last.

Time extended for county officers to give their bonds.

SEC. II. Repeals conflicting laws.

Assented to March 21, 1864.

TITLE IV.

DISTILLATION.

Sec. 1. Act of Dec. 3rd, 1863, as to Distillation amended.

(No. 102.)

*An Act to amend an Act entitled an Act to further provide for the suppression of unlawful distillation of grain and other commodities in this State, assented to December 3d, 1863.**

1. SECTION I. *The General Assembly do enact*, That from and after the passage of this Act, the before recited act be amended as follows: The word "twenty" in the first paragraph be stricken out, and the word "five" be inserted in lieu thereof; and that after the word "time," the following words be inserted: "or any other time to which said cause may be continued upon legal showing, not to exceed twenty days from the date of issuing the warrant." And in the section second of said Act, that the words "unlawful sales," be stricken out, and the words "sales of spirituous liquors contrary to any existing law have been," be inserted.

Act of Dec. 3, 1863, as to distillation, amended.

*For Act of Dec. 3, 1863, see pages 19-21 of this Pamphlet. By that Act, Justices of the Peace and Justices of the Inferior Court were required, on information filed on oath, or from being otherwise induced to the opinion, that violations of the law were occurring, to issue warrants for the arrest of such violators and seizure of their stills--which warrants should be returnable for trial in twenty days. This Act makes them returnable in five days. The Act referred to, did not provide for continuances; this Act does, on good cause shown, from time to time, not exceeding twenty days from date of warrant, when the issue of "nuisance" or "no nuisance" will be tried. The Act of Dec. 3, 1863, did not provide for compulsory process to procure attendance of Jurors. This Act does, under the usual legal penalties for such defaulters. Cases may be tried in the Militia Districts where such offences are committed, or at the County town of the County. For legislation on this subject, see Pam. Acts 1862-3, pages 25-28, and 141-2, also pages 19, -21 of this Pam., from which it will be seen, that for violations of the various Acts on distillation, not only are the stills to be seized and confiscated, but the parties are liable to be indicted and punished, by fines not less than \$500 and may be imprisoned at the discretion of the Court, not exceeding 12 months for every offence. It will further appear, that no person can distil for himself or another, or for a county, or the Confederate government, under any contract or agreement, without a license from the Governor of this State. The Governor has an enlarged discretion by the provisions of the law, and has charged the Aids-de-Camp in their respective military districts with vigilant attention and prompt action in cases of actual or supposed violations,--but this does not relieve, in the least degree, the obligation of every civil officer, whose duty it is now made by solemn enactment, to be vigilant and firm, and to make report in all cases, where there are palpable acts of violations, or circumstances which seem suspicious of the same; whilst it is equally the duty of all good citizens to give an active and earnest co-operation.

COMPILER.

Jurors may be
summoned &
forced to at-
tend.

2. SEC. II *Be it further enacted*, That in the fifth section of the before recited Act, after the word "freeholders," insert the following words; "whom such Judge or Justice are authorized to have summoned, and who shall be subject to the same penalties as are now prescribed for defaulting jurors in case of refusal to attend."

Cases where
tried.

3. SEC. III. *Be it further enacted*, That the following section be added to the Act of which this is amendatory; That all cases under this Act shall be tried at the county town of the county, or in the district where the defendant resides.

SEC. IV. Repeals conflicting laws.

Assented to March 19, 1864.

TITLE V.

EVIDENCE.

Sec. 1. Secondary proof of deeds, bonds, &c., allowed in evidence, when originals are in the United States.

(No. 103.)

An Act to admit copies of deeds and other instruments, in evidence, when the originals are in the United States.

Secondary
proof of deeds,
bonds, &c.,
when origi-
nals are in the
U. S.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, in all cases now pending, or hereafter instituted, the fact that a deed, bond, or any other instrument which would be legal evidence if offered as such, is in the United States, or either of them, shall form the same foundation for the introduction of secondary evidence, as the loss or destruction of the paper would do; and the preliminary fact shall be proved in the same manner as such loss or destruction would have to be proved.

Assented to March 18, 1864.

TITLE VI.

EXR'S. ADMR'S. GUARDIANS, &c.

- Sec. 1. Property may be administered on in any county to which it may be removed, for security from the enemy | Sec. 2. Adm'rs. Ex'rs. and Guardians authorized to invest funds on hand, in 4 per cent bonds.

(No. 104.)

An Act to allow persons to administer upon property in the county to which it has been moved for security from the enemy.

WHEREAS, In consequence of the insecurity of property in the vicinity of the enemy, and in places imminently exposed to the depredations of the enemy, that belonging to the estates of deceased persons, in many instances, has been moved away before being administered upon, and administration cannot be had under the existing law, greatly to the injury and inconvenience of persons interested.

1. SECTION. I. *Therefore, be it enacted by the Senate and House of Representatives in General Assembly met, and it is hereby enacted by authority of the same,* That in all cases, where on account of the insecurity aforesaid, property belonging to the estates of deceased persons has been moved to a county other than the one in which the deceased lived, the same may be administered upon in the county to which it has been moved, in the same manner, and under the same restrictions as is now allowed by law for administering upon property in the county in which the deceased lived at the time of his death.

Property may be administered on in any county to which it may be removed for security from the enemy.

SEC. II. Repeals conflicting laws.

Assented to March 19, 1864.

(No. 105.)

An Act to authorize Administrators, Executors and Guardians to invest in Confederate States four per cent bonds.

2. SEC. I. *Be it enacted, &c.,* That from and after the passage of this Act, it shall be lawful for Administrators, Executors, Guardians and Trustees, to invest what money they may have on hand in Confederate Treasury notes, prior to the first of April next; in

Adm'rs, Ex'rs and Guardians authorized to invest funds on hand in 4 per cent Con. bonds.

Gouverneur authorized to impress rolling stock of Railroads.

bonds of the Confederate States bearing four per cent per annum interest.*

SEC. II. Repeals conflicting laws.

While I do not approve of the policy of investing the estates of orphans and persons represented by Trustees, in the present depreciated currency, I assent to this Act to avoid injustice to Trustees and other fiduciary agents who have, in good faith, received Confederate notes before the passage of the late act of Congress.

JOSEPH E. BROWN, Governor.

March 21, 1864.

*By reference to Act of Dec. 14, 1863, page 29 of this Pamphlet, it will be seen, that investments in Confederate Bonds, then issued or thereafter to be issued, was allowed to Ex'rs. Adm'rs. Guardians and Trustees, on filing application to the Judges of the Superior Courts in their respective Circuits and obtaining written orders of permission. The above Act (No. 105) was obviously intended to dispense with the formulary of petition and order aforesaid, as to investment of funds on hand, bona-fide received, from the passage of the Act, to the 1st day of April 1864, the last day of funding money under the late "Currency Act" of Congress. From its very terms, the above Act became void and inoperative after the first day of April 1864; and hence to invest hereafter in State or Confederate Bonds, the application and order prescribed in Act of Dec. 14, 1863, are necessary.

COMPILER.

TITLE VII.

IMPRESSMENTS.

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| Sec. 1. Gov. authorized to impress rolling stock to transport supplies for indigent families of soldiers. | Sec. 3. Compensation for use, how fixed. |
| " 2. Rail Road trucks may be used. Proviso. | " 4. Compensation may be fixed by arbiters. |
| | " 5. Expense, how paid. |
| | " 6. Takes effect from passage. |

(No. 106.)

An Act to authorize the Governor to impress, in certain cases, the rolling stock of Rail Roads, either of this State, or to be found in this State, not being in use at the time of said impressment, or other conveyance, for the purpose of transporting supplies and provisions purchased or ordered hereafter to be purchased, under any law of this State, for the indigent families of soldiers, on paying just compensation.

Gov. authorized to impress rolling stock to transport supplies for indigent families of soldiers.

1. SECTION I. *The General Assembly do enact, That the Governor shall have power, whenever he may deem the necessity of the case may require it, to impress any rolling stock of any of the Rail Roads of this State, or other conveyance, or of any to be found in this State, when the same is not in use by said Rail Roads or other owners thereof, for the purpose of transporting supplies purchased for the indigent families of soldiers under any law of this State.*

2. SEC. II. *And be it further enacted, That said impressment being*

Militia law amended.

made, he shall have power to use the Rail Road tracks in this State for said rolling stock, making proper and suitable arrangements with the authorities controlling the same for that purpose, on such terms as are usual in such cases; *provided* nothing shall in this act be so construed as to authorize an interference with the transportation on any of said Rail Roads, with the armies of the Confederate States, or the supplies for the same.

Railroad tracks may be used.

Proviso.

3. SEC. III. *And be it further enacted*, That such compensation shall be paid, by the Governor, for the use of said rolling stock of Rail Roads, as well as the tracks of such other roads over which it is passed, as is usual and customary in such cases with Rail Road corporations.

Compensation for use how fixed.

4. SEC. IV. *And be it further enacted*, That if any other conveyance is impressed under this Act, and disagreement arises as to the compensation to be paid, the same shall be determined by three assessors, one to be chosen by the State, and proprietor or owner of said conveyance, respectively, and the third, by the two thus selected; and their decision shall be the measure of compensation to be paid.

Compensation may be arranged by arbiters.

5. SEC. V. *And be it further enacted*, That the expense of the transportation of said supplies, is to be paid out of moneys already appropriated for the support of indigent soldiers' families for the year 1864, and to be deducted from the amounts due those for whose benefit said expenses are incurred.

Expense how paid.

SEC. VI. *Be it further enacted*, That this act shall take effect from its passage.

Takes effect from passage

Assented to March 19, 1864.

TITLE VIII.

MILITIA.

Sec. 1. Amendments to 15th Sec. of Act to reorganize the Militia. | Sec. 2. Tax Receivers, one Editor, and necessary Printers, and Ministers exempt from Militia duty.

(No. 107.)

An Act to amend the 15th section of an Act entitled an Act to reorganize the militia of the State of Georgia, and for other purposes, approved December 14th, 1863.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That the following words shall be added to the said fifteenth section: * But all persons to whom certificates of disability may be granted by District Surgeons, shall be subject to re-examination

Amendment to 15th sec. of act to reorganize the militia.

Exempts from militia duty—Organization of a navy.

at least once a year, except those to whom said Surgeons may grant certificates of permanent disability.

SEC. II. Repeals conflicting laws.

Assented to March 18, 1864.

*For 15th Sec. see page 55 of this Pam.

(No. 108.)

An Act to exempt certain persons from service in the Militia of the State of Georgia.

Tax Receiv-
ers, one editor
and necessary
printers, and
ministers ex-
empt from
militia duty.

2. SECTION II. *Be it enacted*, That the following named persons, in addition to those already declared exempt, shall be exempted from militia duty under the Act of the General Assembly, approved 14th December, 1863.* All State Tax Receivers, one editor of each newspaper published on the 14th of December, 1863, and as many persons employed in printing and publishing the same, as the editor may on oath declare to be absolutely essential to its publication; and all ministers of religion, duly authorized to preach according to the rules of their sect, in the regular discharge of ministerial duties.

SEC. II. All conflicting laws are hereby repealed.

Assented to March 19, 1864.

*For specific exemptions from Militia duty, to which the above are added, see Title "Militia" in this Pamphlet, Sec. XXI, page 57.

TITLE IX.

NAVY.

Sec. 1. Private companies may be incorporated by filing declaration, giving name, Capital, &c., Gov. may issue certificate of incorporation.	Sec. 2. Blockade running prohibited under conditions.
	Sec. 3. Violations of sec. 2nd, how punished.
	Sec. 4. Capital stock may be increased.

(No. 109.)

An Act to encourage the organization of a Navy.

WHEREAS, It is recognized by the law of nations to be a right of belligerents in time of war, as far as may be in their power, to destroy the enemy's commerce, in order to weaken the foundation of his Naval power, and to use all means of capturing or of driving from the Sea, the fleets of the enemy, both mercantile and war-

Organization of a Navy.

like, for the purpose of crippling him, and bringing him to terms and producing peace; and whereas, the Confederate Congress, relying upon these impartial principles of international law, and actuated by the laudable desire of encouraging the people to enter upon this most effectual field for injuring our enemy and constraining him to honorable terms of pacification, heretofore to-wit: on the 18th day of April, 1863, passed an act to establish a volunteer Navy. Now, therefore, for the purpose of promoting the laudable policy of the Confederate Government in this particular, and to give such further encouragement as may be in our power, to the organization of a Navy.

1. SECTION I. *The General Assembly of Georgia do enact*, That private corporations having for their object to operate under the Act of the Confederate Congress aforesaid, may be formed by any number of the citizens of this State, by complying with the following provisions, to-wit: A declaration of the applicants specifying the objects of their associations, and the business they propose to carry on, together with their Corporate name, and the time, not exceeding thirty years, they desire to be incorporated, signed by the Stockholders, and accompanied by the oath of the President, taken before some person authorized to administer oaths, of the amount of capital in money or property at its sworn valuation, actually paid in and employed, or to be employed by such corporation, shall be filed in the office of the Governor of Georgia—whereupon His Excellency the Governor, upon being satisfied of the good faith of the parties concerned, shall cause record thereof to be made, and issue to the Company a certificate of incorporation.

Private Co.'s may be incorporated by filing declaration, giving name, capital, &c.

Gov. may issue certificates of incorporation.

2. SEC. II. *Be it further enacted by the authority aforesaid*, That it shall be a violation of the charter of any company thus organized, to engage in what is commonly called running the Blockade, for the purpose of bringing in cargoes of goods, whether assorted or not on private account; but it shall be lawful for them to bring into any of the ports of the Confederate States, any goods, wares and merchandise allowed by the laws of the Confederacy, under written permit, or by written request, or contract of His Excellency the Governor of Georgia.

Blockade running prohibited under conditions.

3. SEC. III. *Be it further enacted by the authority aforesaid*, That for each and every violation of the foregoing section, any company so violating, shall be subject not only to a forfeiture of their charter, but also to a forfeiture of all property they may have in Georgia, to be adjudged and recovered upon information filed by the Solicitor General, to the Superior Court of any county in which they may have property; and for the purpose of detaining the property until adjudication is had, the Judge of the Superior Court, upon affidavit of the Solicitor General, shall have power, either at Chambers or in open Court, to order the same attached and held in custody by the Sheriff, to answer the judgment of the Court.

Violations of Sec. 2nd how punished.

Water and lights to be kept in Railroad cars.

Capital stock
may be in-
creased.

4. SEC. IV. *Be it further enacted by the authority aforesaid,* That the capital stock of any company which may hereafter organize under the provisions of this Act, may be increased to any desirable amount, by filing a statement of such proposed increased stock, in substantial accordance with the first section of this Act.

SEC. V. All conflicting laws are hereby repealed.

Assented to March 21, 1864.

TITLE X.

RAIL ROADS.

Sec. 1. Water and lights to be supplied on passenger Cars, under heavy penalties.

“ 2. Conductors and agents liable to indictment and fine for non-compliance.

“ 3. Judges of Superior Court to give special charge.

(No. 110.)

An Act to require the Railroad Companies of this State, as well as the Western and Atlantic Railroad, to keep water and lights in the cars for passengers, in their respective trains.

Water and
lights to be
supplied on
passenger
cars, under
heavy penal-
ties.

SECTION I. *The General Assembly of Georgia do enact,* That from and after the passage of this act, all Railroad Companies in this State, as well as the Western and Atlantic Railroad, shall keep in each passenger car, or in any car in which passengers are transported, an adequate supply of good, pure drinking water, at all hours during the day and night, and lights during the night, for the use of the passengers; and upon the failure thereof, shall be liable to pay a fine of five hundred dollars for each and every offence.

Conductors &
agents liable
to indictment
and fine for
non-compli-
ance.

SEC. II. *Be it further enacted,* That any Conductor or agent of said Roads being requested by any passenger to furnish a sufficient supply of water to the passengers in each car in the day or night, and light at night, and shall pass any depot or station without so doing, shall be liable to a fine of one hundred dollars, and to be indicted before the Grand Jury in any county through which said Railroad runs, of which they are agents or Conductors.

Judges of
Sup. Court to
give special
charge.

SEC. III. It shall be the duty of all Judges of the Superior Courts of this State, to give this act specially in charge to the Grand Juries in their respective Courts.

SES. IV. All conflicting laws are hereby repealed.

Assented to March 21, 1864.

Relief of Habersham county, &c.

TITLE XI.

RELIEF.

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| Sec. 1. Quar. Mas. Gen. of Ga. to purchase
and transport corn for Habersham
county, on conditions.
“ 2. Same arrangements for other destitute
counties. | Sec. 3. Certificate of Justices of Inf'r. Court
required in advance.
“ 4. Funds how drawn.
“ 5. Money rec'd paid into Treasury. |
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(No. 111.)

An Act for the relief of Habersham county and all other counties in this State alike destitute, and for other purposes.

1. SECTION I. *The General Assembly of the State of Georgia do enact,* That the Quartermaster General of this State is hereby authorized and required to purchase and ship to such point on the Railroad as the Justice of the Inferior Court of Habersham county may designate, such amount of corn as the Governor in his discretion may order, not to exceed ten thousand bushels; such corn to be delivered to the order of the Justices aforesaid, upon the payment of the cost of said corn and the freight thereon; *provided,* the person or persons applying for said corn shall file his or her affidavit, that said corn is for the use of the citizens of said county and not for the purpose of speculation or distillation.

Q. M. Gen'l
of Ga. to pur-
chase and
transport corn
for Haber-
sham Co., on
conditions.

2. SEC. II. *And be it further enacted,* That the benefits and privileges of this Act shall be extended to any county in this State alike destitute with the said county of Habersham.

Same arrange-
ment for oth-
er destitute
counties.

SEC. III. *Be it further enacted,* That it shall not be the duty of said Quartermaster General to make any purchase under this Act, until the Justices of the Inferior Court of the several counties claiming the benefits of this Act, shall have certified under oath to his Excellency the Governor, the amount of corn in their judgment absolutely necessary for the people of their respective counties, and the Governor shall have informed said Quartermaster General what amount, in his judgment, ought to be furnished to each county making such application; and then it shall be his duty at once to purchase and ship as much of said corn as can be procured.

Certificates of
Justices of
Inf. Court re-
quired in ad-
vance.

4. SEC. IV. *And be it further enacted,* That it shall be the duty of his Excellency the Governor, to draw his warrant on the Treasury for the amount of money necessary to pay for the purchase and transportation of said corn, to be paid out of any money in the Treasury not otherwise appropriated.

Funds how
drawn.

5. SEC. V. *And be it further enacted,* That the money received from the several counties for said corn, shall be paid into the Treasury by said Quartermaster General.

Money rec'd
paid into the
Treasury.

Assented to March 21, 1864.

TITLE XII.

SUPREME COURT DECISIONS.

Sec. 1. Reporter of Supreme Court, to furnish Clerks of Supreme Court with pamphlet decisions of each session.

(No. 112.)

An Act to require the Reporter of the Supreme Court to publish the decisions of the Supreme Court, in pamphlet form.

Rep. of Sup'm
Ct. to furnish
Clerks of the
Sup'r Court
with pamph-
let decisions
of each ses-
sion.

SECTION I. *Be it enacted by the General Assembly of Georgia, That* the Reporter of the Supreme Court shall publish, as soon as possible after each session of the Supreme Court, the decisions thereof, in pamphlet form, instead of bound volumes. And said Reporter shall furnish to the Clerks of the Superior Courts of each county, three copies of his reports in pamphlet form, to be paid for out of the contingent fund of this State.

Assented to March 21, 1864.

TITLE XIII.

TAXES.

Sec. 1. Cotton and other property of Confed Gov. exempt from taxation in this State. 2. Former taxes on cotton released, and refunded.

(No. 113.)

An Act to exempt from taxation, cotton and other property, owned by our Confederate States Government, in this State, and for other purposes.

Cotton and
other prop-
erty of Confed.
Gov. exempt
from tax in
this State.

1. SECTION I. *The General Assembly of Georgia do enact, That* from and after the passage of this Act, in addition to lands, mines, and minerals, of our Confederate States Government, now exempt from taxation, all cotton, or other property, held, and owned, in this State, by the Confederate States Government, be, and the same is hereby exempt from taxation.

Former taxes
on cotton re-
leased and re-
funded.

2. SEC. II. *Be it further enacted, That* where any cotton belonging to the Confederate States Government, has been returned for taxation, during this year, and the taxes been paid to any Tax Collector, said officer is hereby authorized to release said property from taxation, and to refund the money collected on the same for tax.

Assented to March 21, 1864.

LOCAL AND PRIVATE LAWS.

- TITLE I.—COUNTY COURTS.
“ II.—EDUCATION.
“ III.—INCORPORATIONS.
“ IV.—INTERNAL TRANSPORTATION.
“ V.—RELIEF.

TITLE I.

COUNTY COURTS.

Sec. 1. Inf'r. Court of Washington county (for county purposes) to be held the first Tuesdays in each month.

(No. 114.)

An Act to repeal an Act, entitled an Act to change the time of holding the Inferior Court, for county purposes, of Washington county, from the first Tuesday to the first Wednesday in each month, assented to April 17th, 1863.

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That from and after the passage of this Act, the Act ^{Inf. Court of Washington Co. (for county purposes) to be held the first Tuesday in each month.} entitled an Act to change the time of holding the Inferior Court of Washington county, for county purposes, from the first Tuesday to the first Wednesday in each month, assented to April 17th, 1863, be, and the same is hereby repealed.

SEC. II. Repeals conflicting laws.

Assented to March 19, 1864.

TITLE II.

EDUCATION.

Sec. 1. \$418 appropriated to make up deficit of common School Fund of Wilcox Co. for 1863.

(No. 115.)

An Act to appropriate four hundred and eighteen dollars for the Common School Fund of the county of Wilcox for the year 1863.

1. SECTION I. *The General Assembly of the State of Georgia do*

Amend act incorporating the town of Fort Gaines.

§418 appropriate to make up deficit of common school fund of Wilcox Co. for 1863. *enact*, That the sum of four hundred and eighteen dollars be, and the same is hereby appropriated, to be paid out of the common School Fund at the next distribution, to the common School fund of Wilcox county, in order to make up the deficit to which said county is entitled, in consequence of the amount not having been drawn, to which said county is equitably entitled.

Assented to March 18, 1864.

TITLE III.

INCORPORATIONS.

Sec. 1. Prescribes days for election of municipal officers of Fort Gaines.

(No. 116.)

An Act to amend an Act entitled an Act to incorporate the town of Fort Gaines, in the county of Clay, to define its jurisdictional limits, and for other purposes therein mentioned, assented to April 18th, 1863.

1. SECTION I. *Be it enacted*, That the first section of the above recited Act, be so amended as to authorize the election of the officers prescribed in said section, on the first Saturday in May 1864, and the first Saturday in January in each year thereafter.

SEC. II. Repeals conflicting laws.

Assented to March 18, 1864.

Prescribes days for election of the municipal officers of Fort Gaines.

TITLE IV.

INTERNAL TRANSPORTATION.

COLUMBIA AND AUGUSTA RAIL ROAD COMPANY.

- Sec. 1. The Columbia and Hamburg Rail Road Company incorporated, and name changed to "Columbia and Augusta Rail Road Company." All former acts of President, Directors and Stockholders ratified. Corporate powers and franchises.
- Sec. 2. Affairs to be managed by a Board of 12 Directors, elected by and from the Stockholders.
- Sec. 3. Number of votes to which Stockholders are entitled, graduated by number of shares held. In matters of elections, &c. a majority of all the shares shall be represented in person or by proxy. A smaller number may adjourn from time to time, till a quorum is obtained.
- Sec. 4. President how elected. Directors elected annually. The President or any Director removable at a general or called meeting. President and 5 Directors constitute a Board for business, or 6 Directors in absence of President, one of whom shall be President pro tem. Vacancy of President or Directors how filled.
- Sec. 5. Annual meetings of Stockholders prescribed, and time and place how determined.
- Sec. 6. If no election of Directors is held at the regular annual meeting, the bye laws may prescribe how held afterwards.
- Sec. 7. Special meetings, how called.
- Sec. 8. All contracts authenticated by the President and Secretary, binding without a seal.
- Sec. 9. May construct a Rail Road. Initial and terminal points, with certain connections prescribed. Provides as to the consent of the City Authorities of Augusta and Ga. R. R. Co. The use of any finished part or section authorized.
- Sec. 10. Rates of freight and fare to be fixed by Board of Directors.
- Sec. 11. May farm out right of transportation. Liable as common carriers.
- Sec. 12. On failure to pay installments as required, the share or shares of any Stockholder may be sold at public auction. Any surplus of the sale, how disposed of. Sale or assignment of stock does not release original proprietor from payment of his full share. Additional remedy by suit. Forfeiture of shares of delinquent subscribers authorized on 20 days' notice.
- Sec. 13. Stock transferrable.
- Sec. 14. Capital Stock may be increased to five millions, if necessary. Individual Stockholders have preference in taking the shares to be raised. If not taken by Stockholders, books of subscription may be opened.
- Sec. 15. President and Directors may borrow money, and issue certificates, bonds, &c. May mortgage and pledge the Road and its property.
- Sec. 16. Annual reports of the condition of Company to be made to a general meeting of Stockholders; and bye laws may prescribe for occasional meetings.
- Sec. 17. Company may purchase and hold real estate for purposes connected with its business.
- Sec. 18. Public roads may be run across and along; but when obstructed, new roads to be provided by Company. Draws to be made in bridges over navigable streams.
- Sec. 19. On disagreement as to value of any lands or right of way necessary, settlement to be made by Commissioners. How appointed. Benefit and damage the criteria of valuation. Appeal to jury authorized. Proceedings of Commissioners with full description of land to be returned to the Court issuing Commission. Record of proceedings vests title in Company. Ten days' notice to be given by applicants to owners—and in cases of minors, or persons non compos mentis, guardians to be notified. Notice by newspaper publication to be given to parties "not to be found." Appeals not to retard the work. Pending appeal, Company to give bond and security for eventual recovery.
- Sec. 20. In absence of contracts, the Road presumed to be properly in possession of any lands traversed, with 65 feet on either side from center of track. Assessments for right of way to be made within 12 months after completion of Road through any one's land, or barred thereafter. Rights of feme covert and infants not affected till 2 years after removal of disability. Purchasers of Road, or any part, at execution sale, to keep it up according to original charter.
- Sec. 21. Ungranted State lands within certain distance may be appropriated.

Columbia & Augusta Railroad Company.

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| <p>Sec. 22. Intrusions on said Road, how punished.</p> <p>Sec. 23. Persons damaging or obstructing said Road, or aiding in the same, indictable. Punishment. Plea of being agent or servant disallowed, in cases of injury done.</p> <p>Sec. 24. All obstructions to free passage declared public nuisances, and may be abated as such; and persons causing them indicted.</p> <p>Sec. 25. May prescribe rules of priority in transportation; likewise general rates to be published, and special rates for particular owners. Charges for storage.</p> | <p>Sec. 26. May be crossed by any Rail Road hereafter chartered by the State, so as not to obstruct.</p> <p>Sec. 27. Semi-annual dividends of profits to be made.</p> <p>Sec. 28. Charter of Columbia and Hamburg Rail Road continued, where not repugnant to this.</p> <p>Sec. 29. Private property of Stockholders, equal to amount of stock, liable for debts. Company may be sued in corporate name; and on execution obtained, corporate property shall be first subject—and private property of Stockholders afterwards.</p> |
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(No. 117.)

An Act to incorporate the Columbia and Augusta Rail Road Company.

1 SECTION I. *Be it enacted by the General Assembly of the State of Georgia* That the Columbia and Hamburg Rail Road Company, which has been formed under a charter granted by the General Assembly of the State of South Carolina, ratified on the twenty-first day of December, in the year of our Lord one thousand eight hundred and fifty-eight, be, and the same is hereby incorporated by the name of the Columbia and Augusta Rail Road Company; and all acts and things heretofore done by the Stockholders of said company, and by the President and Directors heretofore elected by them, be, and the same are hereby ratified and made lawful, in as full and ample a manner, as if they had been authorized and allowed by the said charter. * *Provided*, the same were not in violation of existing law or laws, or of the Constitution of this State, or of the Confederate States of America; and by the above title, the said Stockholders shall have corporate existence in this State and in the State of South Carolina; if incorporated by that State; and shall have perpetual succession of members; may have a common seal, may sue and be sued, plead and be impleaded, in any Court of law or equity; and may make all such rules, regulations and bye-laws, as are not inconsistent with the laws or Constitution of this State, the State of South Carolina, or the Confederate States; *Provided*, that service of process upon the principal agent of said Company, or any Director thereof, shall be deemed and taken to be due and lawful notice of service of process upon the Company, so as to bring it before the Court.

The Columbia & Hamburg R. R. Co. incorporated, and name changed to Columbia & Augusta R. R. Co.

All former acts of President, directors and stockholders ratified.

Corporate powers and franchises.

Affairs to be managed by a board of 12 directors.

Number of votes to which stockholders are entitled, graduated by No. of shares held.

2. SEC. II. *Be it further enacted*, That the affairs of said Company shall be managed and directed by a general board, to consist of twelve Directors, to be elected by the Stockholders, from and amongst the Stockholders residing in this State.

3. SEC. III. *Be it further enacted*, That the election of Directors shall be by ballot; and each Stockholder at any general meeting of the Company shall be entitled to one vote upon all shares held by him, not more than fifty; to one vote for every

five shares upon all shares held by him more than fifty, and not more than one hundred; and upon all shares more than one hundred, to one vote for every ten shares, to be given by the Stockholder in person, or by his proxy, in all elections, and upon all matters to be submitted to the decision of the Company; and to constitute a meeting of the Stockholders, authorized to make elections, or to decide upon any matter upon which it shall be necessary for the Stockholders to act as a company, a majority of all the shares shall be represented, by the Stockholders themselves, or by his, her, or their proxy; or proxies, and if a sufficient number do not appear on the day appointed, those who do attend shall have power to adjourn from time to time until a quorum shall be obtained.

In matters of election, &c., a majority of all the shares shall be represented in person or by proxy.

A smaller No. may adjourn from time to time till quorum is obtained.

4. SEC. IV. *Be it further enacted*, That the President of the Company shall be elected by the Directors, from amongst their number, as the regulations of the company may prescribe; and the Stockholders, at each annual meeting, shall elect twelve Directors, who shall continue in office, unless sooner removed, until the next annual meeting after their election, and until their successors shall be elected, and shall enter upon their duties; but the President, and any of the Directors, may at any time be removed, and the vacancy thereby occasioned, be filled by a majority of the remaining Directors, at any general or called meeting. The President and any five or more Directors shall constitute a Board for the transaction of business; and in case of the absence of the President from sickness or other cause, six Directors, one of whom shall be appointed to act as President *pro tem*, shall constitute a Board. In case of a vacancy in the office of President or any Director, from death, removal, resignation or disability, the same may be filled by a majority of the remaining members of the board until the annual meeting.

President how elected.

Directors elected annually.

The President or any Director removable at a general or called meeting.

President and 5 or more Directors constitute a board for business, or 6 Directors in absence of President, one of whom shall be President *pro tem*.

Vacancy of President or Director how filled.

5. SEC. V. *And be it further enacted*, That there shall be annual meetings of the proprietors of the stock, at such times and places, as the preceding annual meetings shall have appointed. At such or at any special meeting, proprietors of stock may attend and vote, in person, or by proxies, under such regulations as the bye-laws shall prescribe.

Annual meetings of stockholders prescribed, and time and place how determined.

6. SEC. VI. *And be it further enacted*, That if the day of the annual election should pass, without any election of Directors, the corporation shall not thereby be dissolved; but it shall be lawful on any other day to hold and make such election, in such manner as may be prescribed by the bye-laws of the corporation.

If no election of Directors is held at the regular annual meeting, the bye-laws may prescribe how held afterwards.

7. SEC. VII. *And be it further enacted*, That special meetings of the Company shall be called, whenever twenty members of the Company, or more, owning together three hundred shares of stock, shall require it. *Provided*, that public notice shall first be given of the time and place of such meeting, and of the object for which it is called, unless the interest of the Company requires that the cause of convening the meeting should not be published,

Special meetings how called.

and *provided also*, that either in person, or by proxy, there shall be present at the meeting, a number of persons owning together a majority of the stock.

Contracts,
how binding.

8. SEC. VIII. *And be it further enacted*, That all contracts or agreements, authenticated by the President and Secretary of the general or local board, shall be binding on the company without a seal; or such mode of authentication may be used, as the company by their bye-laws, may adopt.

May con-
struct Rail-
road.

Initial and
terminal
points, with
certain con-
nections, pre-
scribed.

Provisoes.

9. SEC. IX. *And be it further enacted*, That the company shall have power, and may proceed to construct, as speedily as may be practicable, a Rail Road with one or more tracks, to be used with steam, animal or other power, which extends from some point on the Charlotte and South Carolina Rail Road, in or near the city of Columbia, and to cross the Savannah River at or near the city of Augusta, in the State of Georgia, and to connect with the Georgia Rail Road in the said city of Augusta. *Provided*, the consent of the authorities of the City of Augusta, and the Georgia Rail Road Company, shall first have been obtained. *Provided also*, that the said company may use any section, or portion of the said road, before the whole thereof shall be completed. *Provided further*, that the Columbia and Augusta Rail Road Company shall not have power to enter within the corporate limits of the City of Augusta with the said road, except upon such terms, limitations and restrictions, as may be imposed by the municipal authorities of the city.

Rates of
freight and
fare to be fix-
ed by board
of Directors.

10. SEC. X. *And be it further enacted*, That said company shall have the exclusive right of conveyance or transportation of persons, goods or merchandise, and produce, over the said road to be by them constructed, and shall have power to fix and establish such rates of charges for the transportation of persons, goods, produce, merchandise, and other articles, as the Board of Directors may establish.

May farm out
right of trans-
portation.

Liable as com-
mon carriers.

11. SEC. XI. *And be it further enacted*, That said Company, when they see fit, may farm out their rights of transportation on said road, subject to the provisions of this charter; and said company, and every person or company, who may have received from them the right of transporting goods, wares and produce on said road, shall be deemed and taken to be common carriers, as respects all goods, wares, merchandise and produce, entrusted to them for transportation.

On failure to
pay install-
ments as re-
quired, the
shares of any
stockholder
may be sold at
public auc-
tion.

12. SEC. XII. *And be it further enacted*, That if any Stockholder shall fail to pay the installment or installments required of him, on his share or shares, by the President and Directors, or a majority of them, within one month after the call for the same shall have been advertised in one or more papers published in the City of Columbia or Augusta, as the case may be, it shall and may be lawful for the President and Directors, or a majority of them, to sell at public auction, and to convey to the purchaser or purchasers, the share or shares of such stockholders so failing or refusing,

giving twenty days notice of the time and place of sale; and after retaining the sum due, and all expenses incident to the sale, out of the proceeds, shall pay the surplus to the former owner, or his legal representatives or assignees; and any purchases of the stock of the company, under the sale by the President and Directors as aforesaid, shall be subject to the same rules and regulations as the original proprietor, and no sale by the original proprietor of stock or assignees, shall release the original proprietor from his obligation to the company to pay the whole amount of his subscription. In addition to the foregoing remedy, the President and Directors may proceed by action of assumpsit or debt, in any of the courts of law of the States of South Carolina and Georgia, for the recovery of the installments due and not paid by any delinquent Stockholder or his assignees; who shall not pay the same on requisition made in manner or form as aforesaid; or the President and Directors, or a majority of them, may declare the share or shares of any Stockholder, in arrears, after twenty days' notice, forfeited for the use and benefit of the company.

Any surplus of the sale how disposed of.

Sale or assignment of stock.

Additional remedy by suit.

Forfeiture of shares of delinquent subscribers authorized on 20 days notice.

13. SEC. XIII. *And be it further enacted*, That the stock of said Company may be transferred, in such manner and form, as may be directed by the by-laws of said Company.

Stock transferable.

14. SEC. XIV. *And be it further enacted*, That if the capital stock shall be deemed, by a majority of the Directors, to be insufficient, it shall and may be lawful, at some general meeting, by a vote of the stock-holders, from time to time, to increase the capital stock of said Company, to an amount not exceeding five millions of dollars, by the addition of as many shares as may be necessary for that purpose; and the President and Directors shall first give the individual Stockholders, for the time, or their legal representatives, the option of taking such additional shares, and an apportionment, if necessary, shall be made amongst them; and if such additional shares shall not be taken by the Stockholders, the President and Directors shall cause books to be opened, under the direction of Commissioners, to be appointed by them, at such time and place as they shall designate, which time and place shall be duly advertised, for subscriptions for said additional shares, or for so much thereof as may not be taken by the individual Stockholders as aforesaid, and the subscribers for such additional shares, are hereby declared to be thenceforward incorporated into said Company, with all the privileges, and advantages, and subject to all the liabilities of the original Stockholders.

Capital stock may be increased to five millions, if necessary.

Individual stockholders have preference in taking the shares to be raised.

If not taken by stockholders, books of subscription may be opened.

15. SEC. XV. *And be it further enacted*, That the President and Directors, or a majority of them, shall have power to borrow money for the objects of this Act; to issue Certificates, Bonds, or other evidences of such loans; and to make the same convertible into the stock of the Company, at the pleasure of the holder; *Provided*, the capital stock of said Company shall not thereby be increased beyond five million of dollars; also, to mortgage, or otherwise

President and Directors may borrow money, &c.

May mortgage and pledge the Road and its property.

Annual reports of the condition of Co. to be made to a general meeting of stockholders, and bye-laws may provide for occasional meetings.

Co. may purchase and hold real estate for purposes connected with its business.

Public roads may be run across and along, but when obstructed, the Co. to provide new roads.

Draws to be made in bridges over navigable streams.

On disagreement as to value of any lands or right of way necessary, settlement to be made by Commissioners.

Com's how appointed.

Benefit and damage the criteria of valuation.

Appeal to jury authorized.

pledge the said road, and any of the property of the Company, to secure such loans, and the interest thereon.

16. SEC. XVI. *And be it further enacted*, That the Directors shall, once in every year at least, make a full report, on the state of the Company, and its affairs, to a general meeting of the Stockholders; and shall have power to call a general meeting of the Stockholders, when the Board may deem it expedient; and the Company may provide in their by-laws, for occasional meetings being called, and prescribe the mode thereof.

17. SEC. XVII. *And be it further enacted*, That the said Company may purchase, have, and hold in fee, or for a term of years, any lands, tenements or hereditaments, which may be necessary for the business of said Road; or for the erection of depositories, storehouses, houses for the officers, servants, or agents of the Company; or for workshops, or foundries to be used for said Company, or for procuring stones, or other materials, necessary for the construction of the Road, or for effecting transportation thereon, and for no other purpose whatever.

18. SEC. XVIII. *And be it further enacted*, That said Company shall have the right, when necessary, to conduct the said road across, or along, any public road or water course; *Provided*, that the said Company shall not obstruct any public road, without constructing another, equally as good and convenient as may be; nor without making a draw, in any bridge of said road, which may pass a navigable stream, sufficient for the passage of vessels navigating said stream; which draw shall be opened by the Company, for the free passage of vessels, navigating said stream.

19. SEC. XIX. *And be it further enacted*, That when any lands, or rights of way may be required by said Company, for the purpose of constructing their road, and for want of agreements as to the value thereof, or from any other cause, the same cannot be purchased from the owner or owners, the same may be taken at a valuation, to be made by five Commissioners, or a majority of them, to be appointed by any Court of record, having common law jurisdiction in the County, or District, where some part of the land or right of way is situated. In making the said valuation, the said Commissioners shall take into consideration the loss or damage which may occur to the owner or owners, in consequence of the land being taken, or the right of way surrendered, and also, the benefit and advantage, such owner, or owners, may receive from the erection or establishment of the Rail Road, or work, and shall state, particularly, the nature and amount of each; and the excess of loss or damage, over and above the advantage and benefit, shall form the measure of valuation of said land or right of way, *Provided*, nevertheless, in case either party shall appeal from the valuation, to the next session of the Court granting the commission, and giving fifteen days notice to the opposite party of such appeal, the Court shall order a new valuation to be made by a jury, who shall be charged therewith, in the same term, or as soon as pos-

sible; and their verdict shall be final and conclusive between the parties, unless a new trial shall be granted. The proceedings of said Commissioners, accompanied with a full description of the said land, or right of way, shall be returned, under the hands and seals of a majority of the Commissioners, to the Court from which the Commission issued, there to remain a matter of record; and the land or right of way so valued by the Commissioners, shall vest in the said Company, discharged from all previous liens, so long as the same shall be used for the purposes of said Rail Road, so soon as the valuation may be paid, or when tendered, may be refused, *Provided*, that on the application for this appointment of Commissioners, under this section, it shall be made to appear to the satisfaction of the Court, that at least ten days previous notice has been given by the applicants to the owner or owners of the land, so proposed to be condemned; or if the owner, or owners, be infants, or *non compos mentis*, then to the Guardian or Committee, of such owners, if such Guardian or Committee can be found within the County or District; or if he cannot be so found, then such appointment shall not be made, unless notice of the application shall have been published at least one month, next preceding, in some newspaper, printed as conveniently as may be to the Court House of the County, or District, *Provided*, that when there shall be an appeal as aforesaid, from the valuation of the Commissioners, by either of the parties, the same shall not prevent the work intended to be constructed, from proceeding. But when the appeal is made, the Company requiring the surrender, they shall be at liberty to proceed in their work, only on condition of giving the opposite party a bond, with good security, to be approved by the Clerk of the Court where the valuation is returned, in a penalty equal to double the said valuation, conditioned for the payment of the said valuation and interest, in case the same be sustained; and in case it be reversed, for the payment of the valuation, thereafter to be made by the Jury, and confirmed by the Court.

20. SEC. XX. *And be it further enacted*, That in the absence of any contract, or contracts, with the said Company, in relation to lands, through which the said Road or its Branches may pass, signed by the owner thereof, or his agent, or any claimant, or person in possession thereof, it shall be presumed, that the land, upon which said Road, or any of its Branches, may be constructed, together with the space of sixty-five feet on each side of the center of said Road, has been granted to the Company, by the owner or owners thereof, and the said Company shall have good right and title thereto, and shall have, hold and enjoy the same, as long as the same may be used only for the purpose of said Rail Road, discharged from all previous liens, and no longer, unless the person or persons owning the said land, at the time that part of the said Road, which may be on the said land, was finished, or those claiming under him, her or them, shall apply for an assessment of the value of said lands, as hereinbefore directed, within one year, next

Proceedings of Coma, with full description of land to be returned to Court issuing commission.

Record of proceedings vests title in Company.

Ten days' notice to be given, &c.

Notice by newspaper publication to be given to owners not to be found.

Appeals not to retard the work.

In meantime Co. to give bond and security for eventual recovery.

In absence of contracts, the Road presumed to be properly in possession of any lands traversed, with 65 feet on either side from center of track.

Assessments for right of way to be made within 12 months after completion of Road through any one's land, or barred thereafter.

Rights of female
coverts and
infants not af-
fected until 2
years after re-
moval of dis-
ability.

Purchasers of
Road at any
execution sale
to keep it up
according to
original char-
ter.

Ungranted
State lands
within certain
distance may
be appropri-
ated.

Intrusions on
said Road,
how punish-
ed.

Persons dam-
aging or ob-
structing said
Road, or aid-
ing in the
same, indict-
able.

Punishment.

Plea of being
agent or serv-
ant disallow-
ed in cases of
injury done.

after that part of said Road, was finished ; and in case the owner, or owners, or those claiming under him, her or them, shall not apply within one year, next after the said part was finished, he, she or they, shall be forever barred from recovering said land, or having any assessment or compensation therefor ; *Provided*, that nothing herein contained, shall effect the rights of *feme coverts*, or *infants*, until two years after the removal of their respective disabilities, and *provided, also*, that if said Road, or any part thereof, should be sold at Execution sale, for the debts of said Company, or otherwise, then, and in that case, all the rights and titles to the land, which may have been condemned by virtue of this Act, shall immediately revert to the owner, or owners, unless the purchaser, or purchasers, at such sale, shall keep up the Road, for the use of the public, in the same manner, and under the same restrictions, as by this Act it is contemplated, "The Columbia and Augusta Rail Road" should do.

21. SEC. XXI. *And be it further enacted*, That all lands, not heretofore granted, nor appropriated by law, to the use of the State, within sixty-five feet of the center of the Road, which may be constructed by said Company, as soon as the line of the Road is definitely laid out through it, and any grant of the same thereafter, shall be void.

22. SEC. XXII. *And be it further enacted*, That if any person, or persons, shall intrude upon the said Rail Road, by any manner of use thereof, or of the rights and privileges connected therewith, without the permission, or contrary to the will of said Company, he, she, or they, shall forthwith forfeit to the said Company, all the vehicles intruded on the said Road, and the same may be recovered by suit at law ; and the person, or persons, so intruding, may also be indicted, under the laws now of force in this State.

23. SEC. XXIII. *And be it further enacted*, That if any person shall wilfully, and maliciously, destroy, or in any manner hurt, damage, or obstruct, or shall wilfully, or maliciously, cause, or aid, or assist, or counsel, or advise any other person, or persons, to destroy, or in any manner, hurt, damage, or destroy, injure, or obstruct, the said Rail Road, or any bridge, or vehicles, used for, or in the transportation thereon, such person, or persons, so offending shall be liable to be indicted therefor, and on conviction, shall be imprisoned, not more than six months, nor less than one month, and pay a fine, not exceeding five hundred dollars, nor less than twenty, at the discretion of the Court, before which, such conviction shall take place, and shall be liable further to pay all the expenses of repairing the same ; and it shall not be competent for any person, so offending, against the provisions of this clause, to defend himself, by pleading, or giving in evidence, that he was the owner, or agent, or servant, of the owner of said land, when such destruction, hurt, damage, injury, or obstruction, was done, or caused, at the time the same was done or caused.

24. SEC. XXIV. *And be it further enacted*, That every obstruction

to the safe, and free passage of vehicles on the said Road, and its branches, shall be deemed a public nuisance, and may be abated as such, by any officer, agent, or servant, of the Company; and the persons causing such obstructions, may be indicted and punished, under the laws now of force in this State.

25. SEC. XXV. *And be it further enacted*, That said Company shall have the right to take, at the store-houses they may establish on, or annexed to their Rail Road, or the branches thereof, all goods, wares, merchandise and produce, intended for transportation; prescribe the rules of priority, and charge and receive such just and reasonable compensation for storage, as the by-laws may establish, which they shall cause to be published, or as may be fixed by agreement with the owner, which may be distinct from the rates of transportation, *provided*, that the said Company shall not charge, or receive, storage on goods, wares, merchandise, or produce, which may be delivered to them, at their regular depositories, for immediate transportation, and which the Company may have the power of transporting immediately.

All obstructions to free passage declared public nuisance, &c.

May prescribe rules of priority in transportation, &c.

As to charges for storage.

26. SEC. XXVI. *And be it further enacted*, That any Rail Road, which may hereafter be constructed by the State, or by any Company, incorporated by the Legislature, shall be at liberty to cross the road hereby allowed to be constructed, upon a level, or otherwise, as may be advantageous; *Provided*, that the free passage of "The Columbia and Augusta Rail Road", is not hereby obstructed.

May be crossed by any R. R. hereafter chartered by the State, so as not to obstruct.

27. SEC. XXVII. *And be it further enacted*, That the profits of the Company, or so much thereof as the General Board of Directors may deem advisable, shall, when the officers of the Company will permit, be semi-annually divided among the stockholders, in proportion to the stock each may own.

Semi-annual dividend of profits to be made.

28. SEC. XXVIII. *And be it further enacted*, That the charter heretofore granted to the Columbia and Hamburg Rail Road Company, shall continue of force, except in so far as it may be repugnant to the provisions of this Act.

Charter of Columbia and Hamburg R. R. continued, where not repugnant to this.

29. SEC. XXIX. *And be it further enacted*, That the private property of each stockholder, equal to the amount of his stock, shall be liable for the debts of the incorporation. In the event of the neglect or refusal of the incorporation, to pay any debt owing by the same, the creditor or creditors thereof, may sue the Company in their corporate name; and upon obtaining execution against the Company, it shall first be levied upon the corporate property of said Company, which shall be first liable, and upon the return of the proper officer or officers, of no corporate property to be found, said execution may be levied upon an amount of the private property of any stockholder of the Company, equal to the amount of his stock; if that be not sufficient to satisfy said execution, then it may be levied upon the private property of any other stockholder, equal to his stock, and so on, until the execution is fully satisfied.

Private property of stockholders, equal to amount of stock, liable for debts.

Co. may be sued in corporate name.

Ocmulgee River Railroad.

fied; and in all cases, the levying officer shall be the judge of the amount of property necessary to satisfy the *fi fa*

30. SEC. XXX. Repeals conflicting laws.

Assented to, March 21, 1864.

OCMULGEE RIVER RAIL ROAD.

Sec. 30. Corporators of Ocmulgee Rail Road Company. Shall have the same rights and privileges of Macon and Brunswick Rail Road Co.

" 31. Initial, intermediate and terminal points.

" 32. May construct branch roads, as well as connect with and cross other Roads.

" 33. Shall construct an open stone bridge, where the Road crosses Ocmulgee River at or near Macon, double tracked, and free for foot and carriage passengers.

" 34. Capital stock how much, and how divided. Stock how transferred.

" 35. Corporators shall act as Directors till new Board is elected.

Sec. 36. Permanent Board, when and how elected. Such Board may elect President and other necessary officers, pass by-laws, &c. Regulations for voting. Board may fill vacancies till annual election, fix compensation of President &c. Quorum for business. Books of subscription to capital stock may be opened at discretion of Board.

" 37. Mode of determining payment of right of way in disputed cases.

" 38. Power to tax Bank Stock reserved by General Assembly.

" 39. Freight and charges subject to legislative control.

(No. 118.)

An Act to incorporate the Ocmulgee River Railroad, and for other purposes therein mentioned.

Corporators of
Ocmulgee R.
R. Co.

30. SECTION I. That for the purpose of constructing a Railroad from the city of Macon to the city of Griffin in this State. Howell Cobb, Eugenius A. Nisbet, William B. Johnston, Edward L. Strohecker, Jerry Cowles, L. N. Whittle, Charles Day, James A. Ralston, William B. Parker, O. G. Sparks, Thurston R. Bloom, Arthur E. Cochran, J. H. R. Washington, and George W. Price, and such other corporators and individuals as may be associated with them, and their assigns, shall forever hereafter be, and they are hereby made a body politic and corporate, by the name and style of the "The Ocmulgee River Railroad Company," and by said corporate name shall continue in operation, with all the rights, privileges and immunities granted to the Macon and Brunswick Railroad Company by their act of incorporation, and the several acts amendatory thereto; and the same are made a part of this charter, so far as is applicable to the same.

Shall have
same rights &
privileges of
M. & B. R. R.
Co.

Initial, inter-
mediate and
terminal
points.

31. SEC. II. That said Company shall have full power and authority to survey, lay out and construct a rail road, from the city of Macon, by the way of the Indian Springs in the county of Butts, or to such point or place as near thereto as may be found practicable, to the city of Griffin in this State, and the same to equip, use and enjoy.

May con-
struct branch
roads, &c.

32. SEC. III. That said company shall have the power to construct such branches as they may see fit, not interfering with the chartered rights of any other incorporated company now in existence, without the consent of such company; and to connect said road and its branches with any other road now constructed, or to be hereafter constructed, and to cross the same wherever it may be found necessary.

33. SEC. IV. That said company shall have power, and they are hereby required, to build across the Ocmulgee river, at the city of Macon, where said rail road shall cross said river, an open stone bridge of sufficient width and strength to admit of a double track for said railroad and for a carriage and foot way for teams and passengers, and if said carriage and foot way upon said bridge shall be used by teams and passengers, no charge for tolls shall be demanded or received by said company, for the passage of such teams or passengers.

Shall construct open stone bridge where the Road crosses Ocmulgee River at or near Macon.

34. SEC. That the capital stock of said company shall be three millions of dollars, to be divided into shares of one hundred dollars and the same to be transferable on the books of said company, as may be prescribed by the Board of Directors; and no stockholder indebted to said company shall transfer his or her stock, without the consent of a majority of the Directors.

Capital stock, how much & how divided.

Stock, how transferable.

35. SEC. VI. That the persons above mentioned shall act as a Board of Directors, until said company shall be fully organized and until a new Board shall be elected.

Corporators to act as Directors till new Board is elected.

36. SEC. VII. At any time after one hundred thousand dollars of the capital stock of said company shall be subscribed for and paid, in such currency as shall be received by the State of Georgia for taxes, a permanent Board of Directors shall be chosen, after giving twenty days' notice to the stockholders, by publication, in one or more of the newspapers published in the city of Macon, of a meeting of said stockholders to be called for that purpose; said Directors shall have power to elect one of their number President of said company, and to appoint such other officers as they may deem necessary and proper for said company, and to pass such by-laws as they may think proper for the government of said company, not repugnant to the constitution and laws of this State; and the said board of Directors shall hold their office for the term of one year, and until their successors are elected; and in all cases, the stockholders shall have the right to vote in person or by proxy, under power of Attorney duly executed; and the number of votes to which each stockholder shall be entitled, shall be according to the number of shares, he, she, or they may hold, either in their own right, or as Guardian, Executor, Administrator, agent or Trustee, for at least one month previous to said election, one vote for each share; the board of Directors shall have power to fill all vacancies which may occur in their board until the next annual election by the stockholders, and shall fix the compensation of the President of said company, five of whom shall constitute a quorum for the transaction of business, of whom the President shall be one, except in cases of sickness or necessary absence, when his place may be filled by one of the board present, to be elected President pro tem. by a majority of the board present.

Permanent Board, when and how elected.

Board may elect President and other officers, pass bye-laws, &c.

Regulations for voting.

Board may fill vacancies, till annual election, &c.

Quorum for business.

36. SEC. VIII. That the board of Directors for the time being shall be authorized to open books of subscription to the capital stock of said company, at such times, and at such places, as they,

Books of subscription to capital stock may be opened at discretion of Board.

or a majority of them, shall designate; and prescribe the terms and conditions of such subscription for such stock.

Mode of determining payment of right of way in disputed cases.

37. SEC. IX. That all questions concerning the right of way, between said company and the owners of land through which said Road may run, shall be tried and determined according to the provisions of the fifteenth section of an Act, approved December 14th, 1835, to amend an Act to incorporate the Central Railroad Canal Company of Georgia.

Power to tax stock reserved by General Assembly.

38. SEC. X. That the power of taxing said Railroad Bank stock* and its appertenances, is hereby reserved in the General Assembly.

Freights and charges subject to legislative control.

39. SEC. XI. *Be it further enacted*, That the freights and charges of this Railroad shall always be subject to the control of the Legislature.

SEC. XII. †All conflicting laws are hereby repealed.

As this bill has passed by over two-thirds majority, I yield my assent to it, March 23d, 1864.

JOSEPH E. BROWN,

Governor.

*By reference to Act of April 10, 1863, Pam. p 223, it will be seen the Macon and B. R. R. Company had conferred on it the same Banking privileges of the Central Rail Road and Banking Company,—and as the first section of this Act counters on the Ocmulgee Rail Road Co., all the privileges of the Macon and Brunswick Rail Road, it follows that the Company incorporated by this Act have banking privileges. Hence, the use of the term "Rail Road Bank Stock" in the 10th section.

COMPILER.

†For duration of charter see Resolution No. 57 of this Pam.

MACON AND WESTERN RAIL ROAD.

Sec. 40. Macon and Western Rail Road authorized to charge same fare and freight as Central Rail Road.

(No. 119.)

An Act to amend an Act to amend the charter of the Macon and Western Railroad Company, assented to December 14, 1863.

M. & W. R. R. authorized to charge same fare and freight as Central R. R.

40. SECTION I. *The General Assembly of Georgia do enact*, That the before recited Act be amended as follows; the Macon and Western Railroad shall hereafter be entitled to charge for passengers and freight the same rates per mile as are charged or may hereafter be charged by the Central Railroad of this State.

41. SEC. II. That so much of the act of the 14th December, 1863,* as is in conflict with the 1st section of this Act, and all other laws conflicting are hereby repealed.

Assented to March 19, 1864.

*For Act referred to, see page 65 of this Pamphlet.

TITLE V.

RELIEF.

Sec. 1. Preamble as to justice of allowing Tax Receivers and Collectors of certain larger counties named, commissions on collections of "State Income Tax." Commissions allowed, and to be drawn by Governor's warrant on the State Treasury.

(No. 120.)

An Act for the relief of the Tax Receivers and Collectors of the counties of Richmond, Chatham, Muscogee, Bibb, Decatur and Fulton for the year 1863.

WHEREAS, by an Act of the Legislature assented to November 30th, 1861, the officers of Tax Receiver and Collector of this State were consolidated, and only the commissions of one officer was allowed for the service of both offices, in the collection of the General State tax : and the largest commission allowed to any one officer, not being more than fifteen hundred dollars ; and whereas, in the year 1862, the Legislature passed a special Act taxing incomes of Traders, Manufacturers, &c., the proceeds of which were directed to be appropriated to the families of indigent soldiers ; and no provision being made for the payment of the collection of this tax, the Governor and Comptroller General allowed all other Tax Receivers and Collectors the usual commission on said tax, but declined to allow the Tax Receivers and Collectors of Richmond, Chatham and Muscogee counties any commissions, and the Tax Receivers and Collectors of Bibb, Decatur and Fulton counties, but partial commissions, because of that provision of the Act of 1861, which prohibited any one Tax Receiver and Collector receiving more than fifteen hundred dollars for his services—; and whereas after the passage of the Act of 1861, the currency greatly depreciated, making the amount received in 1863, as commissions, not half, and hardly one-fourth as much as it was in 1861, when the fifteen hundred dollars limit was prescribed,

1. SECTION I. *Be it enacted by the General Assembly of Georgia,* That the Tax Receivers and Collectors of the counties of Richmond, Chatham, Muscogee, Bibb, Decatur and Fulton, be allowed the usual commissions under the Code, for the collection of the income tax of their counties for the year 1863, without regard to the commissions received for the collection of the general State tax, or without regard to the limit contained in the proviso of the Act of the 30th November, 1861 ; and his Excellency the Governor, be directed to draw his warrant upon the State Treasury for said commissions, which have been paid into the Treasury.

Assented to March 19, 1864.



RESOLUTIONS

ADOPTED BY

THE SENATE

AND

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF GEORGIA,

AT THE CALLED SESSION OF THE GENERAL ASSEMBLY, HELD IN
MARCH, 1864.

- No. 37. Acknowledgment, with pride and gratitude, of the Battle Flags of the 10th and 50th Geo. Reg't's, through Gen. Goode Bryan; the same to be safely deposited in the State Capitol.
- " 38. Counsel to be employed in prosecutions for unlawful distillation, and paid for services.
- " 39. The suspension of the privileges of the writ of Habeas Corpus by the last Congress, declared unconstitutional and unjustifiable; and our members in Congress requested to insist on its immediate repeal.
- " 40. Declaratory of undiminished confidence in the patriotism and integrity of President Davis.
- " 41. Mail line from Dublin to Mount Vernon, recommended.
- " 42. Mail line from Jefferson to Gainesville, recommended.
- " 43. Mail line from Grantsville and Greenville recommended.
- " 44. Recommends that the Governor interpose no obstacle to enforcement of late Military Act of Congress. Gov. to interpose for relief of those not volunteering in time, having been enrolled in the State Militia.
- " 45. Creditors of H. P. Livingston of Clinch Co. and R. H. McCrosky of Fulton Co. relieved from certain tax for "Income Tax."
- No. 46. Peace desirable, and on what terms only to be sought.
- " 47. Thanks to our re-enlisting Georgia Regiments.
- " 48. Gov. authorized to appoint agents to distribute Relief fund for soldiers' families, where Inf'r. Courts fail to discharge duty.
- " 49. Refugees from certain counties authorized to receive and purchase corn from State agents, in whatever counties such refugees may be.
- " 50. Purchase of wagons and teams to transport corn from Railroad to indigent families of soldiers, approved.
- " 51. Gov. authorized to fund all Confederate money belonging to the State in 6 per cent Confederate bonds, and to sell the latter.
- " 52. Form and style of State Treasury notes to be issued.
- " 53. Act incorporating Ocmulgee River Railroad Company construed, as to limitation of charter.
- " 54. Laws and Journals to be sent to members of the General Assembly, Secretary and Clerk.
- " 55. Public Laws to be issued in advance.

(No. 37.)*

Resolutions in reference to certain Battle Flags.

WHEREAS, Brigadier General Goode Bryan has transmitted to

*For the purpose of convenient reference the numbering of Resolutions of the Extra Session commences from the last number of the Annual Session.

COMPILER.

Battle flags of
10th and 50th
Ga. Regts.

the State of Georgia, the battle flags of the tenth and fiftieth Georgia regiments attached to Bryan's Brigade, accompanied by statements of the various engagements in which these regiments have been engaged :

Acknowledged with pride and gratitude, and to be preserved, &c.

Therefore be it resolved, That the State of Georgia accepts with pride these evidences of the valor of her sons, and that the Adjutant General be instructed to arrange them in the same manner as directed by the resolutions of the last session of the Legislature in reference to similar flags.

Engagements to be marked thereon.

Resolved further, That the Adjutant General be further directed to have attached the statements of the various engagements mentioned in the accompanying papers, to the flags of the regiments to which they respectively belong.

Approved to 18 March, 1864.

(No. 38.)

Preamble.

WHEREAS, Parties arrested in the State, under the different acts for the suppression of unlawful distillation, are frequently discharged, and the objects of the law defeated for the want of counsel to prosecute the same on the part of the State, and the fees prescribed by law in such cases being inadequate to secure the services of competent counsel. Therefore,

Gov. may employ counsel in cases of persons charged with unlawful distillation.

1st. The General Assembly of Georgia do Resolve, That in all cases where parties are arrested under any of the laws for the suppression of unlawful distillation, in which summary process is provided for the suppression of the same, the Governor be authorized to employ counsel to represent the interest of the State, and to pay them such fees for their services as in his judgment shall be reasonable and just.

Assented to March 19, 1864.

(No. 39.)

Resolutions on the Suspension of the Habeas Corpus.

Declaratory of the constitutional limitations on the power to suspend the writ of habeas corpus.

The General Assembly of the State of Georgia do resolve, 1st, That, under the Constitution of the Confederate States, there is no power to suspend the privilege of the writ of *habeas corpus*, but in a manner, and to an extent, regulated and limited by the express, emphatic and unqualified constitutional prohibitions, that "No person shall be deprived of life, liberty, or property, without due process of law," and that "the right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the places to be searched and the per-

Habeas Corpus.

sons or things to be seized." And this conclusion results from the two following reasons: First, because the power to suspend the writ is derived, not from express delegation, but only from implication, which must always yield to express, conflicting and restricting words. Second, because this power, being found nowhere in the Constitution but in words which are copied from the original Constitution of the United States, as adopted in 1787, must yield in all points of conflict to the subsequent amendments of 1789, which are also copied into our present Constitution, and which contain the prohibitions above quoted, and were adopted with the declared purpose of adding further declaratory and restrictive clauses.

2nd. That "due process of law" for seizing the persons of the people, as defined by the Constitution itself, is a warrant issued upon probable cause, supported by oath or affirmation, and particularly describing the persons to be seized, and the issuing of such warrants being the exertion of a Judicial power, is, if done by any branch of the government except the Judiciary, a plain violation of that provision of the Constitution which vests the Judicial power in the Courts alone; and therefore all seizures of the persons of the people, by any officer of the Confederate Government, without warrant, and all warrants for that purpose from any but a Judicial source, are, in the judgment of this General Assembly, unreasonable and unconstitutional.

3rd. That the recent act of Congress to suspend the privilege of the writ of *habeas corpus* in cases of arrests ordered by the President, Secretary of War, or General officer commanding the Trans-Mississippi Military Department, is an attempt to sustain the military authority in the exercise of the constitutional, Judicial function of issuing warrants, and to give validity to unconstitutional seizures of the persons of the people; and as the said act, by its express terms, confines its operation to the upholding of this class of unconstitutional seizures, the whole suspension attempted to be authorized by it, and the whole act itself, in the judgment of this General Assembly, are unconstitutional.

4th. That, in the judgment of this General Assembly, the said act is a dangerous assault upon the constitutional power of the Courts, and upon the liberty of the people, and beyond the power of any possible necessity to justify it; and while our Senators and Representatives in Congress are earnestly urged to take the first possible opportunity to have it repealed, we refer the question of its validity to the Courts, with the hope, that the people and the military authorities will abide by the decision.

5th. That, as constitutional liberty is the sole object which our people and our noble army have, in our present terrible struggle with the Government of Mr. Lincoln, so also is a faithful adherence to it on the part of our own Government, through good fortune in arms, and through bad, one of the greatest elements of our strength and final success; because the constant contrast of

Reasons given.

Seizure of persons can only be made on probable cause, supported by oath or affirmation, particularly describing the persons to be seized; and the Courts alone can issue warrants for such seizures.

Late act of Congress declared unconstitutional.

As a dangerous and unjustifiable measure, our members in Congress urged to insist on its immediate repeal.

In the meantime, its validity referred to the Courts.

Constitutional liberty declared to be our great end and purpose by the war, and prime element of our strength.

constitutional Government on our part, with the usurpations and tyrannies, which characterize the Government of our enemy, under the ever recurring and ever false plea of the necessities of war, will have the double effect of animating our people with an unconquerable zeal, and of inspiring the people of the North more and more, with a desire and determination to put an end to a contest which is waged by their Government openly against *our* liberty and as truly, but more covertly, against their own.

Approved March 19th, 1864.

(No. 40.)

A Resolution expressive of the confidence of this General Assembly in the integrity and patriotism of President Davis.

Declaratory of undiminished confidence in the patriotism & integrity of President Davis.

Resolved, That notwithstanding the difference of opinion entertained by members of this Legislature in reference to the wisdom and constitutionality of the recent Act of Congress suspending the privilege of the writ of *Habeas Corpus*, the General Assembly of Georgia hereby express our undiminished confidence in the integrity and patriotism of Jefferson Davis, Chief Magistrate of the Confederate States.

Assented to 19 March, 1864.

(No. 41.)

Re-establishment of mail route between Dublin and Mt. Vernon.

Resolved, by the General Assembly of the State of Georgia, That our Senators and Representatives in Congress, be requested to use their influence in having the mail route between Dublin, in Laurens County, and Mount Vernon, in Montgomery county, re-established; and that the Governor cause a copy of this resolution to be sent to each of our Senators and Representatives in Congress.

Approved March 17, 1864.

(No. 42.)

Mail line from Jefferson to Gainesville recommended.

Resolved, That our Senators and Representatives in Congress, be requested to use their influence, to have a tri-weekly mail run between Jefferson, in Jackson County, and Gainesville, in Hall County; and that the Governor cause a copy of this resolution to be forwarded to each of our Senators and Representatives.

Assented to, March 15, 1864.

Conscript Act—H. P. Livingston and R. H. McCroskey.

(No. 43.)

Resolved, 1st, That our Senators and Representatives in Congress, be, and are hereby requested, to use their influence to have a daily mail (Sundays excepted,) run between Grantville, Georgia, on the Atlanta and West Point Rail Road, to Greenville, Meriwether County, in this State.

Daily mail between Grantville & Greenville recommended.

Resolved, 2nd, That His Excellency the Governor furnish each of our Senators and Representatives in Congress, with a copy of the above Resolutions.

Assented to, March 17, 1864.

(No. 44.)

A Resolution in relation to the recent Military Act of Congress.

The General Assembly do Resolve, That this General Assembly, declining to express any opinion as to the wisdom of the Act passed by Congress enrolling such persons as had been enrolled under the State law, recommend that his Excellency interpose no obstacle to its enforcement; and the Governor is requested to open a correspondence with the Secretary of War, and request him to exonerate from the penalties of said Act, such persons between the ages of seventeen and eighteen, and forty-five and fifty, who did not volunteer, or enroll, within the time specified, supposing their enrollment under the State law to be legal.

Gov. to interpose no obstacle to the enforcement of the late military act of Congress. Gov. requested to correspond with Sec'y of War for relief of those who did not enroll in time.

Having given my views upon this question, in my Messages to the General Assembly, and submitted it to their decision, I yield to their recommendation, this 22d March, 1864.

JOSEPH E. BROWN, Governor.

(No. 45.)

Whereas, H. P. Livingston, of the County of Clinch, failed to make a return of his Income Tax, for the year 1863, and consequently was assessed as a defaulter, and charged with a tax of fifty thousand dollars, which was afterwards increased to one hundred thousand dollars, by the issue of execution. And the said Livingston, after having swindled many good citizens of Georgia, ran away to the enemy, and his creditors having asked that the State should only claim the tax due, and not claim the full default; and the Governor and Comptroller General having investigated the matter, and agreed, (with the sanction of the Legislature,) to receive ten thousand dollars, in full, of all demands of the State, against the property of the said Livingston, for his default, which sum has been paid into the State Treasury; *And whereas,* R. H. McCrosky, of the County of Fulton, having also failed to make his return for his Income Tax, was also assessed a Tax of fifty

The terms of peace.

thousand dollars, which was afterwards increased to one hundred thousand dollars, by issue of execution: and upon examining into the matter, the Governor and Comptroller General having agreed to receive two thousand dollars, in full, of said default, *provided*, the same be sanctioned by the Legislature; and the said two thousand dollars having been paid into the Treasury;

Be it therefore Resolved by the Senate and House of Representatives, of the State of Georgia, That the sums already paid into the State Treasury, on account of the default of H. P. Livingston, and R. H. McCrosky, be deemed, and taken, as in full, for the Tax due by said parties; and the Sheriff of Clinch County, be directed to enter as satisfied, the *fi fa* vs. H. P. Livingston, upon the payment of all costs occurring on the same, by the creditors of the said Livingston; and that the Sheriff of Fulton county be directed to enter the *fi fa* vs. R. H. McCrosky satisfied, upon the payment of all costs on the same, by the said R. H. McCrosky.

Assented to March 18, 1864.

(No. 46.)

Resolutions declaring the ground on which the Confederate States stand in this War, and the terms on which peace ought to be offered to the enemy.

The General Assembly of the State of Georgia do resolve, 1st, That to secure the rights of life, liberty, and the pursuit of happiness, "Governments were instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the *people* to alter or to abolish it, and to institute a new government, laying its foundations on such principles, and organizing its powers in such form as shall seem to them most likely to effect their safety and happiness."

2nd. That the best possible commentary upon this grand text of our fathers of 1776, is their accompanying action, which it was put forth to justify; and that action was the immortal declaration that the former political connection between the Colonies and the State of Great Britain, was dissolved and the thirteen Colonies were, and of right, ought to be, not one independent State, but thirteen independent States, each of them being such a "people" as had the right, whenever they chose to exercise it, to separate themselves from a political association and government of their former choice, and institute a new government to suit themselves.

3rd. That if Rhode Island, with her meagre elements of nationality, was such a "people" in 1776, when her separation from the government and people of Great Britain took place, much more was Georgia and each of the other seceding States, with their large territories, populations and resources, such a "people," and

Creditors of H. P. Livingston, of Clinch Co., and R. H. McCrosky, of Fulton, relieved from farther payment on tax *fi fas* for income.

Declaratory of the objects of all good governments, and the right of the people to alter or abolish, to secure those objects.

The Declaration of Independence, the result of this principle.

Georgia and the seceded States declared such a people as were entitled to exercise the right of self government.

entitled to exercise the same right in 1861, when they decreed their separation from the Government and people of the United States; and if the separation was rightful in the first case, it was more clearly so in the last, the right depending, as it does in the case of every "people" for whom it is claimed, simply upon their fitness and their will to constitute an independent State.

4th. That this right was perfect in each of the States to be exercised by her at her own pleasure, without challenge or resistance from any other power whatsoever; and while these Southern States had long had reason enough to justify its assertion against some of their faithless associates, yet, remembering the dictate of "prudence" that "governments long established should not be changed for light and transient causes," they forbore a resort to its exercise, until numbers of the Northern States, State after State, through a series of years, and by studied legislation, had arrayed themselves in open hostility against an acknowledged provision of the Constitution, and had at last succeeded in the election of a President who was the avowed exponent and executioner of their faithless designs against the Constitutional rights of their Southern sisters—rights which had been often adjudicated by the Courts, and which were never denied by the abolitionists themselves, but upon the ground that the Constitution itself was void whenever it came in conflict with a "higher law" which they could not find among the laws of God, and which depended, for its exposition, solely upon the elastic consciences of rancorous partisans. The Constitution thus broken, and deliberately and persistently repudiated by several of the States who were parties to it, ceased, according to universal law, to be binding on any of the rest, and those States who had been wronged by the breach, were justified in using their rights to provide "new guards for their future security."

5th. That the reasons which justified the separation when it took place, have been vindicated and enhanced in force by the subsequent course of the Government of Mr. Lincoln—by his contemptuous rejection of the Confederate Commissioners who were sent to Washington before the war, to settle all matters of difference without a resort to arms, thus evincing his determination to have war: by his armed occupation of the territory of the Confederate States, and especially by his treacherous attempt to reinforce his garrisons in their midst, after they had, in pursuance of their right, withdrawn their people and territory from the jurisdiction of his government, thus rendering war a necessity, and actually inaugurating the present lamentable war: by his official denunciation of the Confederate States, as "rebel" and "disloyal" States, for their rightful withdrawal from their faithless associate States, whilst no word of censure has ever fallen from him against those faithless States who were truly "disloyal" to the Union and the Constitution, which was the only cement of the Union, and who were the true authors of all the wrong and all the mischief

The causes of separation stated, and the act of secession justified.

The separation originally just, vindicated by the subsequent policy of Mr. Lincoln.

The terms of peace.

of the separation, thus insulting the innocent by charging upon them the crimes of his own guilty allies: And finally, by his monstrous usurpations of power and undisguised repudiation of the Constitution, and his mocking scheme of securing a *Republican* form of government to sovereign States by putting nine-tenths of the people under the dominion of one-tenth, who may be abject enough to swear allegiance to his usurpation, thus betraying his design to subvert true constitutional republicanism in the North as well as the South.

An honorable close of the war highly desirable.

6th. That while we regard the present war between these Confederate States and the United States as a huge crime, whose beginning and continuance are justly chargeable to the government of our enemy, yet we do not hesitate to affirm that, if our own government, and the people of both governments, would avoid all participation in the guilt of its continuance, it becomes all of them, on all proper occasions, and in all proper ways—the people acting through their State organizations and popular assemblies, and our government through its appropriate departments—to use their earnest efforts to put an end to this unnatural, unchristian and savage work of carnage and havoc. And to this end, we earnestly recommend that our government, immediately after signal successes of our arms, and on other occasions, when none can impute its action to alarm, instead of a sincere desire for peace, shall make to the government of our enemy, an official offer of peace, on the basis of the great principle declared by our common fathers in 1776, accompanied by the distinct expression of a willingness, on our part, to follow that principle to its true logical consequences, by agreeing that any border State, whose preference for our association may be doubted, (doubts having been expressed as to the wishes of the border States) shall settle the question for herself, by a Convention, to be elected for that purpose, after the withdrawal of all military forces, of both sides, from her limits.

After signal success of our arms, and on all appropriate occasions, terms of peace should be officially tendered the enemy on the great principles of 1776, and in pursuance of it, the border States allowed to make free choice of future association.

Reasons of policy for this course.

7th. That we believe this course, on the part of our government, would constantly weaken, and sooner or later, break down the war power of our enemy, by showing to his people the justice of our cause, our willingness to make peace on the principles of 1776, and the shoulders on which rests the responsibility for the continuance of the unnatural strife; that it would be hailed by our people and citizen soldiery, who are bearing the brunt of the war, as an assurance that peace will not be unnecessarily delayed, nor their sufferings unnecessarily prolonged; and that it would be regretted by nobody on either side, except men whose importance, or whose gains, would be diminished by peace and men whose ambitious designs would need cover under the ever-recurring plea of the necessities of war.

8th. That while the foregoing is an expression of the sentiments of this General Assembly respecting the manner in which peace should be sought, we renew our pledges of the resources and pow-

er of this State to the prosecution of the war, defensive on our part, until peace is obtained upon just and honorable terms, and until the independence and nationality of the Confederate States is established upon a permanent and enduring basis.

In meantime, all the resources of the State pledged to the prosecution of the war.

Approved March 19th, 1864.

(No. 47.)

Resolutions in reference to the re-enlistment of all the Georgia Regiments.

The General Assembly of Georgia do resolve, That the reenlistment of all of our Georgia regiments has inspired within the bosom of every true Georgian, sentiments of the highest esteem and gratitude for the heroic endurance, fortitude and chivalry, displayed by them, in this additional instance of self-sacrifice.

Expressive of esteem and gratitude to our re-enlisting troops.

Resolved, 2nd, That we pledge ourselves to make all needful appropriations for the support and benefit of the destitute and suffering families of these gallant troops, so long as the exigencies of the country may require their services in the field of battle.

Pledges the State to support the destitute families of soldiers in the field.

Approved to March 19, 1864.

(No. 48.)

A Resolution in reference to the distribution of the relief fund for soldiers' families.

Resolved, That whenever the Governor is informed that the Justices of the Inferior Court of any county in this State, shall fail or refuse to do their duty towards the citizens of the county with reference to the proper distribution of the relief fund for soldiers families, that he be authorized to appoint an agent to take charge of the fund for said county, and disburse the same; Provided the person so appointed shall not be liable to military duty under the act of the Congress of the Confederate States, and provided also, that the Governor shall require such agent to enter into bond with security in such amount as he may judge proper for the faithful discharge of his trust.

Agents may be appointed in counties to distribute relief fund for soldiers' families.

Agents appointed shall give bond and security.

Assented to March 18, 1864.

(No. 49.)

WHEREAS, The last Legislature of the State of Georgia, made an appropriation of corn for certain of the destitute counties in this

Preamble.

State; and whereas, a portion of said counties, are now in possession of the enemy, and the citizens of the same have been driven from said counties, and are now settled in the various counties of this State;

Refugees from certain counties authorized to purchase or receive corn from State agents.

Be it resolved by the General Assembly of Georgia, That citizens of said counties, entitled to the benefits of said acts, be permitted to receive from, or purchase corn, of the agents of the State appointed by the law, at any point in the State most convenient or at any point according to their option; the said purchase to be made under the restrictions, limitation, and in the manner pointed out by said act.*

Assented to, March 17th, 1864.

* For act, see pages 66-69 of this Pamphlet.

(No. 50.)

A Resolution approving the action of the Governor in purchasing wagons and teams for the transportation of corn from the Rail Road to indigent soldiers' families.

Purchase by Gov. of wagons & teams approved.

Resolved by the Senate and House of Representatives in General Assembly met, That the action of the Governor in the purchase of wagons and teams for the transportation of corn from the Rail Road to indigent families of soldiers, was judicious and prudent, and the purchase and payment for the same as communicated to us, meet the approval of this General Assembly.

Assented to March 18, 1864.

(No. 51.)

Gov. authorized to have funded in six per cent Confed. bonds all Confed. notes belonging to the State.

The General Assembly of the State of Georgia do resolve, That His Excellency the Governor, be, and he is hereby authorized, to have funded in six per cent bonds, provided for by the act of Congress, all Confederate notes which may remain in the Treasury, or may be in the hands of the financial agents of the State, after the first day of April next; and to sell and dispose of such bonds at their market value in currency, which can be made available in payments to be made by the Treasury; and to credit the Treasurer with any losses that may accrue, by reason of the failure of the bonds to bring their par value, when sold.

State Treasurer to be credited with losses for sales below par.

Assented to, March 17th, 1864.

(No. 52.)

Resolutions prescribing the form of the issue of State Treasury Notes under the Act of the 12th December, 1863.

WHEREAS, under an Act of the General Assembly assented to December 12th; 1863, "to provide for raising revenue for the political year 1864, and for other purposes, His Excellency the Governor is authorized to raise the money necessary to meet the appropriations for 1864, till the taxes can be collected, by negotiating a temporary loan for the amount, needed to be paid at the end of the year in currency, or if he cannot negotiate such loan, he may have issued Treasury notes of this State, payable in Confederate States Treasury notes at the end of the year, and the Confederate notes when collected for taxes, shall be deposited in the Treasury, and there remain to redeem said State notes so issued; *and whereas*, the late action of the Confederate States Congress has rendered the present issue of Confederate Treasury notes unsuitable as a currency, after the first of April next, and it is inexpedient to borrow or use the same, and it now becomes necessary for the Governor to issue as early as possible, Treasury notes of the State of Georgia, to meet appropriations of the State, and especially to pay to the indigent soldiers' families the first quarters' pay for their support, in accordance with the apportionment which has just been made; that these Treasury notes may be issued in accordance with the above recited Act, and that the terms of the same may be fully understood on the face of each note; be it therefore,

Resolved by the Senate and House of Representatives of the State of Georgia, That the style and form of said Treasury notes thus authorized to be issued, shall be as follows: "The State of Georgia will pay the bearer ——— dollars at her Treasury on the 25th of December next, in Confederate Treasury notes issued after the first of April 1864, if presented within three months after maturity, otherwise not redeemable except in payment of public dues."

2d. *And be it further resolved*, That when the taxes for 1864 shall have been paid into the State Treasury, His Excellency the Governor be authorized, if he thinks proper, to deposit Confederate Treasury notes of the new issue in any one of the Banks of Augusta, Savannah, Macon, Columbus and Atlanta, to redeem said State Treasury notes so issued.

Approved March 17, 1864.

(No. 53.)

Resolutions construing a certain act of this General Assembly.

WHEREAS, During the present session of the General Assembly, a bill was passed entitled "An Act to incorporate the Ocmulgee

Explanatory
of act to incor-
porate Ocmulgee River R.
R. Co.

River Rail Road Company, and for other purposes therein mentioned," which may be construed to grant perpetual powers to said corporation; and *whereas*, it was the intention of the Legislature to restrict said corporation to the time prescribed by the Code of Georgia.

Charter limited
to 30 years.

Therefore be it resolved, That the General Assembly do declare, that it was intended and designed to restrict the grant of power to said corporation, to a period of thirty years; and that this resolution be accepted and considered as a part of said act of incorporation.

Assented to, March 23, 1864.

(No. 54.)

Laws and
Journals to be
forwarded to
each member
of the Gen'l
Assembly.
Secretary and
Clerk.

Resolved by the Senate and House of Representatives, That His Excellency the Governor, be, and is hereby directed, when the Laws and Journals of this Extra Session, as well as the regular Session, shall have been printed, to cause to be forwarded to each member of the Senate and House of Representatives, also the Secretary of the Senate and Clerk of the House of Representatives, a copy thereof.

Approved March 17, 1864.

(No. 55.)

A resolution in relation to the publication and distribution of the Acts of the General Assembly.

WHEREAS, Great inconvenience is felt by the citizens of this State, in the delay of the publication of the Laws enacted by the General Assembly; *Be it therefore*

Gov. to have
published in
pamphlet
form all the
public laws of
the General
Assembly,
and have cop-
ies forwarded
to the more
important civ-
il officer.
Payment
from Treas-
ury.

Resolved by the Senate and House of Representatives, That the Governor of this State, cause to be collected and published, in a convenient form, all the Public or general Laws, so soon as the same shall receive his approval; and that one copy of the same be sent to each of the Judges of the Supreme and Superior Courts, and a copy to the Clerks of the Superior and Inferior Courts, and the Ordinaries of each of the several counties of this State, and to the members of the Legislature; and that the expenses of said publication be paid for from the Treasury of this State.

Assented to March 18, 1864.

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